REPORT OF THE TASK FORCE ON LIBERTY OF CONSCIENCE AS IT PERTAINS TO THE ORDINATION OF WOMEN WITH SUPPORTIVE MATERIAL

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To the Venerable the 108th General Assembly:

PREAMBLE

In response to more than 40 memorials, overtures and petitions bearing on the issue of Liberty of Conscience as it pertains to the Ordination of Women, the 107th General Assembly appointed a Task Force with the following terms of reference:

"to study liberty of conscience in this particular context and bring to the 108th General Assembly material basic to a Declaratory Act or legislation for submission to the Presbyteries under the Barrier Act."

Those named to this Special Task Force were:

Mrs. Margaret Taylor, Convener
Rev. Jean Armstrong
Dr. Eric Beggs
Mr. Ralph Brown
Rev. Anthony Dallison
Dr. Mario diGangi
Miss Cae Dickson
Rev. Irene Dickson
Mr. George Hutchinson
Dr. Alexandra Johnston
Rev. Hans Kouwenberg
(who served by correspondence and attended the last meeting)
Dr. William Klempa
Rev. Desmond Maxwell
Dr. Donald C. MacDonald
Dr. Sheldon MacKenzie
(by correspondence)
Rev. Margaret MacNaughton
Dr. Gordon Ross
Dr. Donald Smith
Mrs. Lorna Teare
Rev. George Vais
Rev. Harry McWilliams

The Task Force has been concerned to:

a) recognize the context of the Church's decision
b) examine the Church's Doctrine of Ministry
c) clarify liberty of conscience as it applies to the ordination of women.
d) affirm the lawful authority of the Church in the oversight of its life and worship, and maintain the unity, peace and good order of the Church so indispensible to its health and growth.

The Task Force met three times (7 days) over a period of six months and endeavoured to reach unanimity. Towards the end of the third meeting a minority report was submitted by five members who could not concur with a recommendation concerning active participation in the ordination of women, which the majority considered the central issue.

Since their report requested exemption from participation, a subsequent two day meeting was called to reformulate the report of the Task Force dealing with the question of exemption.

The Task Force begs leave to present to the 108th General Assembly the following report and recommendation, including a minority report.

A. Context of the Church's Decision to Ordain Women

In any situation where the interpretation of different Biblical texts makes it possible for people to differ, there arises a need for clarification. At such times, the Church, guided by the Holy Spirit, undertakes a period of Biblical study which may lead to the development of a corporate statement of belief and to a change in the law and practice of the Church. The study by the Church prior to 1966 led to the corporate decision to ordain women to the eldership and to the ministry of Word and Sacrament.

The entire task force is united in the conviction that the corporate decision of 1966 must be respected by the Church. Nothing can be gained by the quoting of text against text. The Church lives in the reality of a corporate decision which may not be pleasing to everyone but which is the carefully considered belief and law of the

Church. In other words, while recognizing the diversity of witness in Scripture the Church arrived at a decision concerning the ordination of women, a decision based on the intention of the whole Biblical witness and the revelation of the gospel of Jesus Christ heard in Scripture.

The strength of corporate interpretation is the fact that it is not the interpretation of an individual, but the understanding of a Church obedient to the gospel and enlightened and guided by the Holy Spirit.

B. An Examination of The Church's Doctrine of Ministry

1. Although the issues of liberty of conscience and the polity of the Presbyterian Church necessarily occupied much of the Task Force's attention since these are the issues that brought us into being; nevertheless, through our debates we have come to realize that an underlying issue behind all these deliberations is the Church's understanding of ministry. We feel that it is important for us to begin our report with the following statement on Ministry:

Christ's Ministry in His Church

a) **The One Ministry in Christ**

The Presbyterian Church in Canada under the guidance of the Holy Spirit and the illumination of the Word of God in Scripture, has affirmed, in the preamble to vows for the ordination of persons to the eldership or the ministry of word and sacrament, that: "*All ministries* of the Church *proceed from* and are *sustained by* the *ministry of the Lord Jesus Christ*" (italics ours). There is but one ministry in the Church — that of our Lord Jesus Christ — and all other ministries, (i.e. ordained and non-ordained, female and male, traditional and specialized, and every other conceivable Christian ministry), proceed from and are sustained by the *one ministry* of Christ.

The Apostle Paul frequently speaks of the reality of the one ministry of Christ in which Christians participate. He reminds the Corinthians that Christ gave us *His ministry of reconciliation* (2 Cor. 5: 18), and that we are but earthen vessels into which God the Father pours *the ministry of the Son* (2 Cor. 4: 7). In writing to the Romans Paul ventures to speak of nothing, "except *what Christ has wrought through me...*" (Rom. 15: 18).

Regretfully, the Westminister Confession of Faith does not devote a chapter to "ministry", however, in Chapter XXV, "Of the Church", section III, it states, *"(u)unto this* catholick visible *Church Christ has given the ministry...*" (italics ours). The Form of Presbyterial Church Government likewise affirms the one ministry of Christ in and through the Church. It parallels the W.C.F. statement quoted above and in the section under "Pastors" also defines what specifically belongs to that office, (cf. F.P.C.G., "Of the Church", and "Pastors"). Our Presbyterian forefathers, in harmony with us today, recognized that it is not left to the individual to determine what constitutes the one ministry of Christ in His Church. Rather, it is the Lord through His Church who determines what is the nature of ministry and the proper exercise thereof.

John Calvin, the father of the Reformed faith also bears witness to the one ministry of Christ in the Church; "...he [the Lord] uses the ministry of men whom he employs as his delegates, not to transfer his right and honour to them, but only that *he may himself do his work by their lips...*" (Institutes, Bk. IV, Chpt. III, par. 1, italics ours). Following Calvin and the Reformed tradition a contemporary theologian Herman Ridderbos in, *Paul: An Outline of His Theology,* says with regard to ministry;

> *The exercise of the office and the functioning of gifts and powers in His Church are never only a mutual service of the members of the Church to one another...the full powers of Christ are administered and vested in them.* (pp. 474-475, italics ours).

It is into the one ministry of Christ that men and women are called and ordained by the Lord through the Spirit in the Church, and they have no ministry of their own which they individually may define.

b) **Ordination and the Ministry of Christ**

1. **Ordination into the one ministry of Christ**

The Church uses the rite of ordination to set apart men and women to, and confirm their entry into, two of the offices of the ministry of Christ; the office of the ministry of Word and Sacrament, the office of the ministry of Ruling Elder. The rite of ordination signifies, at once, the Church's confirmation of a person's call into the ministry of Christ, and the acceptance by the ordinand of Christ's ministry. The ordinand, for the ministry of word and sacrament, indicates acceptance of Christ's ministry, as defined by His Church, when at ordination he or she signs the formula of adherence to the Confession of Faith stated in the preamble to the ordination vows. The Formula reads; "*I* A.B. do *by my signature testify my adherence* to those things declared and *required to be accepted* in the Preamble and Questions at the Ordination of a Minister" (Book of Forms #408, italics ours). The questions put to the ordinand also require the acceptance of the ministry as defined by the Church. Question number two requires ministers to uphold the subordinate standards of the Church. The subordinate standards of the Church, as stated in the preamble to Ordination as revised in 1970 include, "...such doctrine as the Church, in obedience to Scripture and under the promised guidance of the Holy Spirit, *may yet confess* in its continuing functions of reformulating the faith" (Book of Forms #409). Question number three of the ordination vows requires ministers and elders to *share* in and *submit* themselves to all lawful oversight in the governing of the Church.

The preamble and ordination vows to which ordinands subscribe by their vocal confession and also signature, make clear that all ministers enter into the ministry of the Church and voluntarily commit themselves to exercise the Church's ministry as it directs.

2. **Ordination: The Church's Act of Ministry**

It is clear from the biblical writers, and also the Church's historic interpretation that ordination is an act of the Church's ministry (cf. Acts 6: 6,9:17, 1 Tim. 4:14). Ordination is the corporate act of the Church and the individuals who are present at an ordination represent not just themselves but the whole Church. It is Christ who ordains by the Spirit through His body the Church.

Our Church affirms the corporate nature of the ministry in the ordination of a minister, when it declares that "it is the duty of *the Presbytery* to proceed with the ordination" (B.of F.:234). The corporate nature of the ministry of ordination is also asserted by the directive that "all the ministers present" will lay their hands on the ordinand (B.of F.:194.1 & 235.1). The reference to all the ministers present in section 235.1 of the Book of Forms cannot be construed as meaning that some ministers can legitimately absent themselves. Section 186 of the Book of Forms states: "It is the duty of every member to attend the meetings [of Presbytery] and absentees may be called to account".

The corporate nature of the ministry of ordination is also affirmed by our Church with reference to the ordination of elders. The minister at the ordination of an elder does not act alone. He or she acts on behalf of the Church as the Presbyteries executive (cf B. Of F. : 109.2, 198.2). The presence of the individual minister at the ordination of an elder only validates the ordination in so far as he or she represents and carries out the Church's ministry. As the individual minister, on personal authority, cannot validate the act of ordination by being present, neither can he or she invalidate it by absenting themselves. In

fact, given our Church's corporate doctrine of ministry, the bodily absence of a minister at an ordination does not remove him/her from participating in the ministerial and spiritual reality of the ordination.

Ordination is the Church's act of ministry in which the whole Church participates, through the congregation, elders, and ministers actually present.

c) **The Ministry of Christ: Female and Male**

Since 1966 the Presbyterian Church in Canada has affirmed that the ministry of Christ in all its aspects and offices is exercised by both men and women. Theologically and spiritually speaking, there are not male and female ministers or elders, there are only ministers or elders. The Church, spiritually, does not ordain a female or a male, it ordains elders and ministers!

The Church arrived at this understanding of the biblical witness regarding ordination after many years of careful prayer, study and debate. Our present doctrine of ordination was not a novelty thrust on an unsuspecting Church, in unseemly haste. Perhaps it is not insignificant that it is the Reformed Church (i.e. the Church reformed *and reforming*), of which our Church is a branch, that is leading the Church Catholic into an understanding of ministry that is founded upon the whole teaching of scripture.

The intervening years from 1966 until the present, have confirmed what the mind of the Church is, that the ordination of women and men to the offices of ministry is in accord with the teaching of scripture. The 106th General Assembly reaffirmed this to be the mind of the Church, by stating that candidates seeking ordination in our Church, must be willing to share in the Church's ministry in the ordination of men and women; the 107th General Assembly, by Declaratory Act, again confirmed this to be the will of the Church.

Clearly, our Church's doctrine of ordination is that, spiritually speaking, there is neither female nor male, and its ministers in whatever office they hold must exercise their office in accord with the Church's doctrine.

d) **The Place of the Offices of Ruling Elder and Ministers of Word and Sacrament in the Church**

Our Church has not said that the ministry of Christ as expressed in the offices of ruling elder and minister of Word and Sacrament are of the essence of the Gospel as this term applies to Christ's work of salvation in the Cross and Resurrection; The Lord and He alone accomplishes the work of Salvation.

However, the Reformed Church has always, with Calvin, affirmed that the ministry of Word and Sacrament is necessary to the Church and it and the ruling eldership is conducive to the peace and good order of the Church, which is God's appointed bearer of the Gospel of Salvation.

We do well to hear Calvin on the place of the ministry of Word and Sacrament:

> "God might Himself have performed this work, if he had chosen; but He has delegated it to the ministry of men... We do not deny that we can be perfected by the power of God alone without human assistance. But we are now dealing with what is the will of God and the appointment of Christ, and not what the power of God can do. In employing men's work for accomplishing their salvation, God has conferred on men no ordinary honour". (Comm. on Eph., Torrance ed., pp 180-181).

Calvin speaks of God employing mens work for accomplishing their salvation not in terms of us "assisting" Christ in His work of our salvation, but because Christ chooses ministers to bear his work of salvation to others. When we are dealing with the Church's confession about the offices of ruling elder and the ministry of Word and Sacrament, we are not dealing with incidentals of the Gospel or things pertaining to the non-essentials of Church life and worship. Again Calvin bears listening to;

"Whoever, therefore, either aims to abolish or undervalue this order, of which we are treating, and this species of government, attempts to disorganize the Church, or rather to subvert and destroy it altogether. For neither the light and heat of the sun, nor any meat and drink, are so necessary to the nourishment and sustenance of the present life, as the apostolic and pastoral office is to the preservation of the Church in the world". (Institutes, Bk. IV, Chpt. III, pa. 1.)

e) **The Church is Responsible to the Lord for the Exercise of His Ministry**

Our Church stands within the Reformed and biblical (c.f. Acts 15;21: 17 ff.) traditions which recognize the corporate responsibility for the proper exercise of ministry. Thus it places the responsibility for the proper conduct of ministry in the Presbytery. Our Book of Forms with regard to the exercise of ministry states: "the Presbytery is the party directly responsible to the church", and that, "the minister is its executive responsible to the Presbytery for the discharge of his/her office". (Bk. F. 1981, 109.2, cf. 198.1, 198.2, 253). The individual minister alone, is not responsible to God for the proper exercise of his/her ministry. The individual is responsible to and with the Church, through Presbytery, for the conduct of ministry. In the matter of ordination the Church has specifically stated that the ordaining of elders is to be conducted by the *moderator of the Session*, that is, the minister inducted into the pastoral charge by the Presbytery (cf. B. of F., 132.6). A similar directive from the Church to its ministers applies in the matter of ordaining ministers (cf. B. of F. 186; 235).

Since the minister is the Presbyteries executive in a congregation specifically charged with the responsibility of ensuring that *all ministries* are exercised in accordance with doctrine and polity; therefore it would be irresponsible of the Church to permit a minister to refuse to exercise any part of the ministry into which the Church has ordained her or him.

f) **One Lord, One Faith, One Ministry**

The Presbyterian Church in Canada confess one Lord, one Faith, one Ministry. In the ministry of the Church there is *one office of ruling elder* and *one office of the minister of Word and Sacrament*. This reflects the Church's doctrine of the one ministry. Were the Church to legislate exemption for elders or ministers from sharing in the ministry of ordaining women it would destroy the oneness of the office of elder and minister and divide them into two orders — one order that ordains women and one order that does not. It would be a detriment to the harmony, peace, good order and unity of the Church to create divisions within her ministry, by legislation. Love for the Church, as well as individuals within the Church, constrains us to reaffirm our Church's doctrine; one ministry, one faith, one Lord.

C. Liberty of Conscience as It Pertains to the Ordination of Women

In its report to the 1981 General Assembly, the Committee on Church Doctrine submitted a preliminary study of the phrase "liberty of conscience" as it was used by the Westminster Divines and by John Calvin, the sixteenth century reformer (see Supportive Material p. 4). It noted that the Westminster Confession of Faith's statement on "liberty of conscience" is unique in the reformed confessions and must be understood within the historical, political and ecclesiastical situation of seventeenth century England.

The Puritan reformers had to do with a State-Church which legislated regarding doctrine, forms of worship and polity. Cases of conscience arose when ministers were required to do certain things which pertained to the category of "things indifferent" ("adiaphora") such as the wearing of vestments at worship. They therefore addressed themselves to the issue of how one deals with one's conscience when required to do something which he/she believes is not right. It is in this context that Chapter xx of the Westminster Confession of Faith must be understood.

Chapter xx "Of Christian Liberty and Liberty of Conscience" makes a twofold assertion. Paragraph 2 states: "God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in any thing contrary to his word, or beside it, in matters of faith or worship. So that to believe such doctrines, or to obey such commandments out of conscience, is to betray true liberty of conscience; and the requiring of an implicit faith, and an absolute and blind obedience, is to destroy liberty of conscience, and reason also." In other words, God alone is Lord of the conscience. Doctrines and commandments do not have to be believed or blindly obeyed.

On the other hand they warned that "because the powers which God hath ordained and the liberty which Christ hath purchased are not intended to destroy, but mutually to uphold and preserve one another; they who, upon the pretence of Christian liberty shall oppose any lawful power, or the lawful exercise of it, whether it be civil or ecclesiastical, resist the ordinance of God." (para, 4). This is a very strong statement regarding civil and ecclesiastical authority.

To quote John Macpherson in his hand-book on the Confession of Faith in response to this,

> "That the Westminster divines as a whole, should have had views of toleration such as are now held, it would be unreasonable to expect. In the circumstances of the nation, indeed, toleration as we understand it was practically impossible. People were being educated for liberty, but meantime they had to be restrained from rushing on to licence. Toleration *in things indifferent* was now proclaimed by members of the Assembly; but certain religious views were so associated with tendencies in the state either to tyranny or to anarchy, that neither divines nor patriotic statesmen could see their way yet to tolerate them" (p. 125 italics ours)

While the Westminster Divines sought to ensure the liberty of conscience before God, they certainly did not envisage the individual minister being at liberty to exercise ministry as he or she determines in the light of conscience. The Divines stated that "it belongeth to synods and councils ministerially to determine controversies of faith, and cases of conscience" (Chapter xxxi, III quoted in Supportive Material p. 4). This is further evidence that the individual within the Church is not free to act as he or she believes but is subject to synods and councils. The Divines held that councils and synods, although not infallible, are the means which God has appointed to preserve the good order, peace and unity of the Church. They may not coerce a person's conscience but they may and must order the life and practice of the Church.

The teaching of John Calvin on the authority of the Church and freedom of conscience as it is found in his *Institutes of the Christian Religion*, Book IV, Chapter 10 has been set out in the report of the Committee of Church Doctrine last year. (This appears on p. 18 of the Supportive Material).

In matters which are considered necessary for salvation one cannot submit one's conscience to any authority but God alone. This was the force of Luther's statement: "Here I stand, I cannot do otherwise; so help me God", because it concerned the very heart of the gospel: justification by grace through faith. Nevertheless, the rule of law is necessary for the free association of all people within the church. Here Calvin is again helpful. He writes in Book IV of the *Institutes:*

> *But as there is such diversity in the manners of men, so great a variety in their minds, and so much contrariety in their judgments and inclinations, no polity will be sufficiently steady unless it be established by certain laws; nor can any order be preserved without some settled form. The laws, therefore, which promote this end, we are so far from condemning, that, we contend, their abolition would be followed by a disruption of the bands of union, and the total disorganization and dispersion of the Churches. For it is impossible to attain what Paul requires, that "all things be done decently and in order," unless order and decorum be supported by additional regulations. But in regard to such regulations, care must always be taken, that they be not considered necessary to salvation, and so imposing a religious obligation on the conscience, or applied to the worship of God, and so represented as essential to piety.*

This leads to the heart of the problem facing the Task Force: the apparent conflict between the authority of God over the conscience and the authority of the Church.

There is a parallel situation to the ordination of women in the matter of the baptism of infants. This is parallel because scripture is also ambiguous on the question of baptism of infants versus adults and like ordination of women, baptism is not necessary to salvation. On this issue the Church has made a decision which is to baptize infants as well as adults. If a person came to the conclusion on the basis of the study of the Bible and of church tradition that the practice of baptizing infants is wrong and, believing that he or she could no longer continue to baptize, applied to the Church to be exempted, the Church would need to respond to this request. Unless the practice of baptizing infants is changed, the response is that every minister is obligated to participate. The Church has ruled, since 1966, that women are to be ordained to the ruling and teaching eldership within the Presbyterian Church in Canada. We must now turn to a more detailed study of the liberty of conscience as it applies to the ordination of women within Presbyterian polity.

D. Presbyterian Polity and the Authority of the Church

The Task Force affirms the action of the 1966 General Assembly. The steps that led to that action are laid out in the Supportive Material pp. 6 ff. Since 1966 our theology of ministry in the Presbyterian Church in Canada has included both men and women in the order of the Ministry of Word and Sacrament and the Ruling Eldership. The legislation approved by Presbyteries under the Barrier Act and by the 1966 Assembly granted full and equal rights to women in terms of ordination to the Ministry and Eldership. This equality of status granted to women is now entrenched in the law and doctrine of the Church, and demands a corresponding equality of treatment in the whole life and work of the Church. This precludes all forms of discrimination and any false distinctions based solely on the sex of the candidate.

No provision was made in the 1966 legislation for any possibility of exemption from participation in the ordination of candidates merely because they were women. Nor was such exemption requested by any of those who dissented from the action of that Assembly nor, prior to 1980, by any Presbytery of the Church. Indeed, no such exemption can be claimed by an individual or granted by a Presbytery without undermining the 1966 decision. (Suggestions sometimes made that the 1966 legislation was somehow only 'permissive' or 'enabling' have no legal sanction whatever). The only grounds for a refusal to participate in the ordination of a candidate is that provided for under section 206 of the *Book of Forms* (i.e. objections relating to "the applicant's personal religion, motivation and aptitude for the ministry,...") Any refusal to participate based on such irrelevancies as the colour, race, or sex of the candidate is a denial of our doctrine, polity and practice.

That doctrine, polity and practice, however, has always allowed for dissent with reasons given. Section 91 of the Book of Forms, under the general heading "Dissent, Protest, Complaint and Appeal." (p. 19) states "any member of a court who has voted on a question and is not satisfied by the decision is entitled to have his/her dissent recorded." In view of this there is already adequate means within the Church to register dissent and thus assuage one's conscience before God. This answers the concern of those who truly have a "doubting conscience". Calvin uses this term with respect to 1 Corinthians 8:7, 11 in a passage that has to do with eating food offered to idols, "God would have us do nothing but what we know for certain is agreeable to Him. Whatever, therefore, is done with a doubting conscience, is in consequence faulty in the sight of God...Whenever we take a step in opposition to conscience, we are on the high road to ruin".

A dissenter may, therefore, participate in the ordination of women without being "on the high road to ruin". Further avenues of dissent are not necessary.

This fundamental principle of Presbyterian polity is upheld most strongly by the Task Force in our first Statement of Affirmaton. Indeed the entire debate before and since 1966 has been punctuated by dissents being lawfully submitted on both sides of

the issue. Nevertheless, unless the law of the Church is changed under the Barrier Act procedures which means that a change must be approved by one General Assembly, then be sent to the Presbyteries where it must receive a majority vote and then return to General Assembly a year later where it must again receive a majority vote, there can be no lawful "opting out" of the ordination of women.

To seek the right to "opt out" of the ordination of candidates who are women is not to seek freedom of conscience. Such freedom of conscience already exists inasmuch as anyone is free to dissent from the decision to ordain women. Under the present law of the church, however, every minister must participate in the ordination of women. At the present time, there are those who seem to be seeking "freedom to disobey" the doctrine and polity of the church. Only if the church changes the law (and our final affirmation underscores the freedom of any member of the Presbyterian Church in Canada to seek to change the law under proper procedures) can anyone be exempted from participation in the ordination of women. It could be argued that those who refuse at the present time to participate are following a "divisive course." This is a very serious charge in Presbyterian law. The ordination vows (see Supportive Material p. 5) specifically include a promise NOT to pursue such a course.

It is the view of the Task Force that those who are presently refusing to participate are absenting themselves from one of the cardinal collegial acts of the Church, and one that witnesses to the perpetuation of the office of the holy ministry which, in turn, is Christ's gift to the Church. Any refusal to participate in the ordination of women, as the law of the church now stands, undermines the authority of the Church and results in a form of ecclesiastical anarchy.

It is of the essence of Presbyterian polity that the right of private judgment cannot be permitted to usurp the corporate, collegial judgment of the Church through its church courts. Ministers and elders promise to *share in* and *submit themselves to* all lawful oversight in the courts. They promise to *follow no divisive course* but to seek the peace and the unity of the Church. Respect for the Church as it is lawfully ordered is at stake in this understanding of church polity. To take these vows lightly by insisting upon a liberty of action that is contrary to accepted doctrine, order and discipline is to strike at the very roots of our Presbyterian understanding of authority in the Church. As we have argued, respect for the Church does not prohibit dissent nor prevent attempts to reverse decisions made by Church courts. But change must be sought by means of lawful process through petitions and overtures.

THE QUESTION OF EXEMPTION

At the third meeting of the Task Force, a minority of the group (five out of the twenty then present) indicated thay they felt bound to dissent from the recommendation concerning active participation in the ordination of women which the majority considered the central issue. They have prepared a minority report which, as a matter of courtesy to them, is appended to the report of the Task Force.

The issue of possible exemption has been before the Task Force from the beginning of its deliberations. The majority of the group rejected the idea of exemption for the following seven reasons:

(1) THE ENACTMENT OF SUCH LEGISLATION WOULD INVOLVE A FUNDAMENTAL CHANGE OF THE 1966 LEGISLATION AND THAT COULD ONLY BE INTERPRETED AS A RETREAT FROM IT.

Our Church has no reason to regret or to retreat from its 1966 legislation. We have been enriched immeasureably by the gifts and dedication which over 60 women ministers and some 2000 women elders have brought to the leadership of sessions, presbyteries, synods and General Assemblies. Some resistance to the full participation of women in ministry still exists but Gamaliel's rule recorded in Acts 5:39 is instructive here: "For if this idea of theirs or its execution is of human origin, it will collapse; but if it is from God, you will never be able to put them down, and you risk finding yourselves at war with God."

According to the best knowledge of the Task Force, there has not been a Church which having granted full access to ministry for women, has later retreated from its

original action by enacting legislation to grant some ministers exemption from participation in the ordination of women. This is true of the United Presbyterian Church in the U.S.A. (Northern church), the Presbyterian Church in the U.S. (Southern church) and the United Church of Canada.

In 1974 the United Presbyterian Church in the U.S.A. refused the ordination of Mr. Walter W. Kenyon because he had stated that in the event of the election of a woman as an elder, he would ask for exemption from ordaining her. (Cf. supportive Material p. 20)

In 1977 the Presbyterian Church in the U.S. sustained a call to the Rev. Thomas T. Ellis who though opposed to the ordination of women nevertheless said: "Should Atlanta presbytery, knowing my views, appoint me to a commission to ordain a woman, I believe that I would respectfully ask to be excused. In the event that presbytery should decline such a request *I would seek to subject myself to my brethern in the Lord in accordance with my ordination vows.*" (Cf Supportive Material p. 19–20).

Similarly, the United Church of Canada, since granting ordination to women in 1930, has not instituted the principle of exemption.

Two churches have granted exemption and they did so *at the time they enacted the original legislation* to ordain women. One of these is the Reformed Church in America. The Reformed Church was faced with a difficult situation. A number of classes (presbyteries) had gone ahead on their own and had ordained women to the ministry of Word and Sacrament before a decision by the whole Church. In the interest of bringing some order into a chaotic situation the synod decided to ordain women and at the same time to permit those who did not agree with the ordination of women to abstain from participation. An anamolous situation has been created whereby the office of the ministry of Word and Sacrament has been opened to women in the whole Church and yet discrimination against women in ministry is given a form of official sanction. It creates difficulties for the Church, particularly women, and undoubtedly will create more difficulties in the future.

The other Church which has permitted exemption is the Anglican Church in Canada, which along with its original legislation to ordain women to the priesthood passed a "Conscience Clause" permitting bishops and priests who are so minded to exempt themselves from participation in the ordination of women. (C.F. Supportive Material p. 26) This has created a most difficult if not intolerable situation for many women candidates and priests since there are a number of diocese where women cannot be ordained and to which they cannot move after they have been ordained. The Anglican Church in Canada, of course, does not have the office of ruling elder.

The situation of The Presbyterian Church in Canada is comparable with the situation of the Northern and Southern churches in the United States and the United Church of Canada. It is noteworthy that none of these churches has retreated from its original legislation and granted exemption from the participation in the ordination of women even though some within these churches sought exemption. To do so would be to give official sanction to discrimination against women in ministry.

(2) TO ENACT LEGISLATION THAT GRANTS EXEMPTION WOULD BE TO CAST DOUBT UPON THE VALIDITY OF WOMEN AS MINISTERS AND ELDERS.

The implication would be that there is something invalid about having women ministers and elders. Certain questions inevitably arise. Are women true ministers of Jesus Christ? Are women true elders? If not, then are they irregular ministers, that is not properly authorized. We know that, in the eyes of the Roman Catholic Curch, the ministers of Anglican and Protestant churches are invalid or irregular and in the eyes of the Anglican Church, non-episcopal ministry, as for example, the ministry of the Presbyterian Church, is invalid or irregular.

The terms, "invalid" and "irregular" are not biblical terms. The criterion which Jesus employed for ministry is, "By their fruits you shall know them" (Mt. 7:20). While the matter of divine and ecclesiastical authorization is certainly crucial, validity in terms of service and fruitfulness is equally important. As Calvin has said, ". . . a sure rule is here laid down for judging the calling of those who preside over God's church — if we see the gifts of the Holy Spirit" (Calvin N.T. Commentary, Gospel of John, Trans. by T.H.L. Parker. Ed. by T.F. Torrance p. 205)

The matter of authorization by the Church is also crucial. Good order is necessary in the Church and its ministry; in fact, it is a cardinal principle of Presbyterianism that all

things should be done "decently and in order" (1 Cor. 14:40). Following orderly procedures our Church has authorized the ministry of women and has seen the fruits of the Spirit in their ministry. To grant the requested exemption from participation would be to write into Church law a questioning of the validity of office of women ministers and elders.

(3) TO ENACT LEGISLATION TO GRANT EXEMPTION FROM PARTICIPATION IN THE ORDINATION OF WOMEN, AFTER SIXTEEN YEARS, POSES THE DANGER OF SANCTIONING AN UN-PRESBYTERIAN APPROACH TO CHURCH LAW.

The Presbyterian Church is a conciliar Church, under the authority of Christ, in which decisions are made by a majority vote of ministers and elders. While those who vote in the minority may register a dissent (Book of Forms 91 and 92) they are obligated to obey what the Church as a whole has enacted. According to practice and procedure in the Church of Scotland on which our Church law is modelled: a dissent "is incompetent and censurable when it is against carrying out an instruction of an Act or of a Superior court, and members who will not take part in carrying out the instruction are liable to censure (1741, ult.; 1803)". (James T. Cox Practice & Procedure in the Church of Scotland, p. 92-93)

The Presbyterian Church in the United States of America (Northern) has defined how Presbyterian polity operates: ". . . when any matter is determined by a major vote, every member shall either actively concur with or passively submit to such determination; or if his conscience permit him to do neither, he shall, after sufficient liberty modestly to reason and demonstrate, peaceably withdraw from our communion without attempting to make any schism. Provided always that this shall be understood to intend only to such determination as the body shall judge indispensable in doctrine or Presbyterian government" (Historical Digest (Procedure), p. 1310). Ministers & Elders cannot claim that a conscientious objection exempts them from obeying Church law. If that were the case, there could be no authority within the Church, for private judgment would be supreme.

(4) TO ENACT LEGISLATION TO GRANT EXEMPTION FROM PARTICIPATION IN THE ORDINATION OF WOMEN WOULD DISTORT OUR DOCTRINE OF MINISTRY.

Women are part of the one ministry of Christ equally with men according to the action of the Church in 1966. Full and complete equality for women is now integral to the law of the Church and this has issued in the resulting change in the doctrine of the ministry and our church polity.

To entrench exemption from participation in the ordination of women into our Church law, would mean that some of our ministers would not have to exercise the whole ministry of the Church which includes the nomination, election and ordination of women elders; the approval of women candidates for ministry, their certification, licensing, ordination and induction. This would mean an extensive, indeed a radical revision of the Book of Forms; for example of 4:1 , 235:1, 11: , 11:1 , and 186:. At the present time no minister is permitted exemption with regard to any act of ministry. It is conceivable that if men are granted exemption from participating in the ordination of women, some women may seek exemptions from participating in the ordination of men who refuse to share in the ordination of women. To entrench exemption is to undermine the oneness and the wholeness of Christian ministry as it has been understood and practised by our Church.

(5) TO ENACT LEGISLATION GRANTING EXEMPTION WILL NOT BRING PEACE AND CONCORD TO THE CHURCH. IT MAY WELL HAVE THE EFFECT OF PRODUCING MORE DIVISIVENESS.

First, it would produce friction between the presbytery and the congregation in which a minister serves who requests exemption from participation in the ordination of women elders. On the principle that not only must justice be done but *it must also be seen to be done* with respect to upholding the rights of women in a congregation, a moderator *pro-tem* would need to be appointed and to be present not only for the service of ordination but at all meetings and proceedings having to do with the nomination and election of new elders including the meeting which decides how many elders are to be elected, the nomination procedure, the congregational meeting at which the election takes place, and the ses-

sion meeting which approves the persons elected. It would also apply when a woman candidate for the ministry of Word & Sacrament presents herself to Session for recommendation to presbytery. Frequent interference in the life of the congregation by the presbytery could lead to resentment and bitterness and the feeling that the congregation and minister were second-class. It is for this reason that the certification, theological education, licensing, ordination and induction procedures seek to ensure that a minister subscribes to Presbyterian doctrine and polity and therefore can serve adequately by himself or herself as the executive of the presbytery and therefore of the whole church in that particular congregation. Second, it would produce tension and division in the presbytery not only between male and female ministers but also between those ministers who were appointed by the Presbytery to serve as moderators *pro tem* and the men they were standing in for. The moderators *pro tem* would be carrying part of the load of another minister as well as their own.

(6) TO ENACT LEGISLATION TO GRANT EXEMPTION WILL TEND TO NEGATE WOMEN'S RIGHTS TO BE ELECTED TO THE ELDERSHIP IN A CONGREGATION WHERE THE MINISTER IS PERMITTED TO EXEMPT HIMSELF FROM HER ORDINATION.

The congregation is not likely to embarrass women candidates for the eldership, the minister, or itself by placing women in the position of having the validity of their call to eldership questioned through the action of the minister exempting himself from their ordination.

(7) TO ENACT LEGISLATION GRANTING EXEMPTION IS UNNECESSARY SINCE THE MEANS FOR LIBERATING ONE'S CONSCIENCE IS ALREADY AVAILABLE THROUGH RECORDING DISSENT

Dissent never permits non-participation.

For these seven reasons, the Task Force rejected the proposal to recommend that legislation be enacted granting exemption from participation in the ordination of women.

ISSUING FROM THE FOREGOING REPORT, WE MAKE THE FOLLOWING STATEMENTS OF AFFIRMATION

1. Liberty of Conscience and the right of private judgment within the ordered life of the church under the sole rule of Christ, are cardinal principles of Presbyterian doctrine and polity.
2. Liberty of Conscience is never absolute but is always limited by the authority of God and the rights of others. When cases of conscience arise and/or the rights of persons are denied, it belongs to the courts of the church to determine (resolve) controversies of faith and cases of conscience. (See W.C.F. Chap. XXXI:III)
3. Ministers and elders of the Church are required to act in such a way that the equality of women with men in Christ and their access to a full and valid ministry of Word and Sacrament and Ruling Eldership are recognized and upheld and neither denied nor prejudiced.
4. Ministers and elders have freedom of belief with respect to the issue of the ordination of women but do not have freedom of action. By virtue of their ordination vow all are obliged to exercise a full ministry including active participation in the ordination of women. The Church at present provides for individuals the means to liberate their conscience before God and all people through recording dissent. (See Book of Forms, Section 91-94)
5. Although Presbyteries have no authority to grant permission to disobey church law and doctrine on the question of the ordination of women, yet they are enjoined to deal with cases of conscience on this question with pastoral care and understanding for the parties involved with concern and sensitivity for the peace and unity of the whole church.
6. Ministers, elders and church members have an opportunity and indeed a duty to work for reform through the courts of the church when they find themselves in disagreement with the church's established doctrine and practice for what they believe to be biblical and theological reasons.

In light of the Affirmations, we therefore recommend:

RECOMMENDATION NO. 1 A D C
That the 108th General Assembly pass the following Declaratory Act: to follow the Declaratory Act passed in 1981 (407.3)

407:4 Ministers and elders already ordained and inducted within the Presbyterian Church in Canada have freedom of belief on the question of the ordination of women but do not have freedom of action. By virtue of their ordination vows all are obliged to exercise full ministry including active participation in the ordination of women.

Although Presbyteries have no authority to grant permission to disobey church law and doctrine on the question of the ordination of women, yet they are enjoined to deal with cases of conscience on the question with pastoral care and understanding for the parties involved with concern and sensitivity for the peace and unity of the whole church.

RECOMMENDATION NO. 2 A D C
That the Board of Ministry be requested to prepare quidelines to be presented to the 109th General Assembly to help Presbyteries fulfil their pastoral role in dealing with cases of conscience and that the matter of funding for this be referred to the Administrative Council.

RECOMMENDATION NO. 3 A D C
That this report, its affirmations and recommendations be the answer of the 108th General Assembly to the question of liberty of conscience and the ordination of women.

RECOMMENDATION NO. 4 A D C
That the Task Force be discharged.

MRS. MARGARET TAYLOR
Convener

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Under the valued leadership of Mrs. K. Denton Taylor, this Task Force has explored many aspects of the complex problem assigned to it by the 107th General Assembly. Although there are areas of substantial agreement within the Task Force, it would be less than honest to ignore several crucial points of differences requiring a Minority Report.

A. BASIC CONSIDERATIONS

1. *The Parameters of Liberty of Conscience*

   According to the Westminster Confession of Faith, we are obligated to uphold the lawful authority of the Church. The Confession, however, also acknowledges the fallibility of ecclesiastical courts and allows for liberty of conscience in matters that are either contrary to Scripture or not clearly commanded in God's written Word (W.C.F. XX:2,4; XXXI:3; Acts 4:19,20; 5:29). Calvin comments, "God would have us do nothing but what we know for certain is agreeable to Him. Whatever, therefore, is done with a doubting conscience, is in consequence faulty in the sight of God . . . Whenever we take a step in opposition to conscience, we are on the high road to ruin." (I Cor. 8:7,11)

2. *The Nature of the Biblical Data:*

   Scripture undoubtedly teaches the equality of men and women in Christ, and encourages us all to use our gifts for the spread of the gospel and the health of the Church. Some scriptural passages, however, may be interpreted as inhibiting the appointment of women to official teaching/ruling functions in the Church (I Cor. 14:33–35; I Tim. 2:11,12). This duality of the biblical data explains why divergent positions are held on this subject, and underlines the need to allow liberty of conscience in regard to mandatory participation in the ordination of women.

3. *The Interpretation of the 1966 Decision:*

   The 92nd General Assembly enacted the eligibility of women to become elders and ministers of our Church. Some have interpreted that decision as permissive, rather than prescriptive or proscriptive in character. (The 92nd General Assembly did not decree the disciplinary expulsion of ministers or elders holding conscientious reservations on the matter. Nor did it preclude the ordination or reception of ministers sharing such reservations on scriptural rather than sexist grounds.) There is an urgent need to clarify the intent and implications of that legislation. Continued ambiguity can only be counter-productive to the well-being of our Church.

4. *The definition of a Divisive Course:*

   We are by solemn vow committed to follow "no divisive course". (Bk. of Forms, Sec. 409.3) We deplore the sectarian pride that promotes schism no less than the coerced conformity that provokes it. We are persuaded that it cannot possibly constitute a divisive course to exercise freedom of conscience with an exegetically tenable appeal to Scripture and a sincere desire to work harmoniously with others — both men and women — for the enrichment of the Church's life.

5. *The Call of God to Ministry:*

   Our ascended Lord has given the Church the gifts of apostles, prophets, evangelists, and pastor-teachers for the maturity of His people and their equipment for service. If it would be wrong to deny a woman called and endowed of the Lord an opportunity to serve, what makes it right to deny that same privilege to men solely on the grounds of their conscientious reservations on the subject under consideration? To disqualify them on this criterion alone not only deprives the Church of their consecrated skills but does despite to the Spirit who enlists and empowers for Christian ministry.

6. *A Question of Procedure:*

The Task Force was entrusted with the work of preparing for the 108th General Assembly material basic to a Declaratory Act or legislation for submission to the presbyteries under the Barrier Act. While a Declaratory Act would make for swifter action, following the Barrier Act procedure would seem to allow for the fuller discussion so necessary for a final decision. Hopefully, in the free and responsible interchange envisioned, we may come to a wholesome and healing concensus.

B. RECOMMENDATION

We wholeheartedly concur with Task Force statements of affirmation 1, 2, 3 and 6, but we differ from some aspects of 4 and 5. To allow the right of dissent on a matter where there is a duality of Scriptural data, while denying freedom of action, appears inconsistent as well as uncharitable (Rom. 14:1–23)

In the interest of presenting this General Assembly with an alternative proposal, and out of deep concern for the good of our Church, we offer the following recommendation:

> Subscription of the formula shall be so understood as to allow liberty of conscience and leave to abstain from participation in the ordination of women, provided that persons holding such reservations state their views on admission to presbytery; promise to use no unlawful means to impede the nomination, election, ordination or induction of women as elders or ministers; express a willingness to have the presbytery appoint a moderator *pro tem* to preside at such nominations, elections, ordinations or inductions; and cooperate with all ministers and elders in the work of the Church.

This proposal does not in any way urge a retreat from the decision of 1966, nor challenge the authority of the Church, but respectfully seeks relief of conscience through the due process of law. It is our conviction that adoption of this recommendation, whether by Barrier Act or Declaratory Act procedure, will both reaffirm the eligibility of women to share fully in our ministry, encourage presbyteries in dealing pastorally with cases of conscience, reverse the trend to polarization, and enable us to move forward with greater unity for the good of the Church and the glory of God.

— M. Di Gangi
— A. Dallison
— D. Maxwell
— L. Teare
— G. Ross
— J. Hans Kouwenberg

SUPPORTIVE MATERIAL

PERTAINING TO THE TASK FORCE ON LIBERTY OF CONSCIENCE AS IT PERTAINS TO THE ORDINATION OF WOMEN

SUPPORTIVE MATERIAL

In an effort to help the commissioners to the 108th General Assembly understand the background to the work of the Special Task Force on the Liberty of Conscience in the Ordination of Women, we provide the following supportive material. Wherever a statement has been excerpted from another document, we have provided the source reference so that interested commissioners may pursue particular points either before or at the Assembly.

Contents

1. **The Biblical Context**
2. **The Westminster Confession of Faith**
3. **The present vows for ministers of The Presbyterian Church in Canada**
4. **The procedures to be followed in ordination and settlement in The Presbyterian Church in Canada**
5. **The actions of General Assembly from 1953 to 1981 on this matter.**
6. **Variants in editions of the *Book of Forms*.**
7. **The Formula to be signed at ordination etc.**
8. **Statements of Boards and Commitees of the Church on this matter.**
9. **Responses of other communions to similar appeals to conscience in this matter.**

1. The Biblical Context

The Task Force gave particular study to the following passages of scripture:

Acts 2:14–21
4:19–20
5:29
18:18–26
21: 8–9

Romans 14:1–23
16:1–5

I Corinthians 11:2–16
14:34–40

Galatians 3:28

I Timothy 2:11–15

Philipians 4:1–3

The Workbook 'Putting Woman in her Place'' that was sent down to the Church prior to the decision of 1966 included the following further passages as part of the Biblical material relevant to the place of women in the scriptures:

Genesis 1:26–31
5: 1–2
2:18–25
3

Luke 7:36–50
10:38–42
23:27–31; 49–24:11; 24:22–23

John 4:1–27

Acts 16:11–15

Romans 1:19–32

I Corinthians 12:1–13

Ephesians 4:11–16
5:21–33

2. The Westminster Confession of Faith

The Westminster Confession of Faith is one of the subordinate standards of The Presbyterian Church in Canada. Until the change in the Ordination Vows in 1970, candidates were asked specifically to subscribe to it "as adopted by this church in the Basis of Union of 1875" *Book of Forms*, 1969, 410. The Confession was adopted first by the Assembly of Divines meeting with the Commissioners from the Church of Scotland at Westminster (London) in 1647. Chapters XX and XXXI were studied carefully by the Task Force.

CHAP. XX *Of Christian Liberty, and Liberty of Conscience.*

The liberty which Christ hath purchased for believers under the gospel, consists in their freedom from the guilt of sin, the condemning wrath of God, the curse of the moral law; and in their being delivered from this present evil world, bondage to Satan, and dominion of sin, from the evil of afflictions, the sting of death, the victory of the grave, and everlasting damnation; as also in their free access to God, and their yielding obedience unto him, not out of slavish fear, but a child-like love, and willing mind. All which were common also to believers under the law; but under the new testament, the liberty of Christians is further enlarged in their freedom from the yoke of the ceremonial law, to which the Jewish Church was subjected, and in greater boldness of access to the throne of grace, and in fuller communications of the free Spirit of God, than believers under the law did ordinarily partake of.

II. God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in any thing contrary to his word, or beside it, in matters of faith or worship. So that to believe such doctrines, or to obey such commandments out of conscience, is to betray true liberty of conscience; and the requiring of an implicit faith, and an absolute and blind obedience, is to destroy liberty of conscience, and reason also.

III. They who, upon pretence of Christian liberty, do practise any sin, or cherish any lust, do thereby destroy the end of Christian liberty; which is, that, being delivered out of the hands of our enemies, we might serve the Lord without fear, in holiness and righteousness before him, all the days of our life.

IV. And because the powers which God hath ordained, and the liberty which Christ hath purchased, are not intended by God to destroy, but mutually to uphold and preserve one another; they who, upon pretence of Christian liberty, shall oppose any lawful power, or the lawful exercise of it, whether it be civil or ecclesiastical, resist the ordinance of God. And for their publishing of such opinions, or maintaining of such practices, as are contrary to the light of nature, or the known principles of Christianity, whether concerning faith, worship, or conversation; or to the power of godliness; or such erroneous opinions or practices, as either in their own nature, or in the manner of publishing or maintaining them, are destructive to the external peace and order which Christ hath established in the Church; they may lawfully be called to account, and proceeded against by the *censures* of the Church.

CHAP. XXXI. *Of Synods and Councils*

For the better government, and further edification of the church, there ought to be such assemblies as are commonly called synods or Councils.

II. As magistrates may lawfully call a synod of ministers, and other fit persons, to consult and advise with about matters of religion; so if magistrates be open enemies to the church, the ministers of Christ, of themselves, by virtue of their office, or they, with other fit persons upon delegation from their churches, may meet together in such assemblies.

III. It belongeth to synods and councils ministerially to determine controversies of faith, and cases of conscience; to set down rules and directions for the better ordering of the public worship of God, and government of his church; to receive complaints in cases of mal-administration, and authoritatively to determine the same: which decrees and determinations, if consonant to the word of God, are to be received with reverence and submission, not only for their agreement with the word, but also for the power whereby they are made, as being an ordinance of God, appointed thereunto in his word.

IV. All synods or councils since the apostles' times, whether general or particular, may err, and many have erred; therefore they are not to be made the rule of faith or practice, but to be used as help in both.

V. Synods and councils are to handle or conclude nothing but that which is ecclesiastical; and are not to intermeddle with civil affairs, which concern the commonwealth, unless by way of humble petition, in cases extraordinary; or by way of advice for satisfaction of conscience, if they be thereunto required by the civil magistrate.

3. The ordination vows for ministers of The Presbyterian Church in Canada

The following are the vows adopted by the Church in 1970 after Barrier Act procedures. *Book of Forms*, 1979, Section 409.

409. QUESTIONS TO BE PUT TO A MINISTER AT ORDINATION OR INDUCTION.

Preamble and Ordination Questions:

All ministries of the Church proceed from and are sustained by the ministry of the Lord Jesus Christ. He is our Prophet, Priest and King, the Minister of the covenant of grace. By the operation of God's Word and Spirit the Church is gathered, equipped, and sent out to participate in this ministry. All her members are called to share the Gospel with the world, and to offer to the Father the worship and service that are due to Him from His creation, through Christ the only Mediator, until He comes again. That the Church may be continually renewed and nurtured for her ministry, Christ furnishes her with pastors and teachers. He requires and enables her to discern and to confirm by ordination those whom He calls to his pastoral and teaching office. The standards of His Church He entrusts in a special degree of responsibility to their care.

The Presbyterian Church in Canada is bound only to Jesus Christ her King and Head. The Scriptures of the Old and New Testaments, as the written Word of God, testifying to Christ the living Word, are the canon of all doctrine, by which He rules our faith and life. We acknowledge our historic continuity with the Holy Catholic Church and her doctrinal heritage in the ecumenical creeds and the confessions of the Reformation. Our subordinate standards are the Westminster Confession of Faith as adopted in 1875 and 1889, the Declaration of Faith concerning Church and Nation of 1954 and such doctrine as the Church, in obedience to Scripture and under the promised guidance of the Holy Spirit, may yet confess in its continuing function of reformulating the faith.

All these things you have examined and are ready to accept. Being assured of your faith in Christ and your love for people, the Presbytery is prepared to ordain you in the name of the Triune God to the ministry of Word and Sacraments. That your faith may appear in the presence of God and His people, we now ask you the appointed questions in terms of this preamble:

409.1 Do you believe in God the Father, made known in His son Jesus Christ our Lord, to whom the Holy Spirit witnesses in the Scriptures of the Old and New Testaments?

409.2 Do you accept the subordinate standards of this Church, promising to uphold its doctrine under the continual illumination and correction of the Holy Spirit speaking in the Scriptures?

409.3 Do you accept the government of this Church by sessions, presbyteries, synods and general assemblies, and do you promise to share in and submit yourself to all lawful oversight therein, and to follow no divisive course but to seek the peace and unity of Christ among your people and throughout the Holy Catholic Church?

409.4 Do you promise in the strength and grace of the Lord Jesus Christ to conduct yourself in your private and public life as becomes His gospel, and do you give yourself diligently and cheerfully to the service of Christ's word, sacraments and discipline, for the furtherance of His reconciling mission in the world?

4. The procedure to be followed in ordination and settlement in The Presbyterian Church in Canada. *Book of Forms,* 1979, Section 233-235.

ORDINATION AND SETTLEMENT

233. On the day appointed, the congregation having assembled, and the Presbytery having been constituted, the edict is returned, with attestation that it was duly served. The Presbytery then causes public intimation to be made to the assembled congregation that it is met to receive and deal with objections.

233.1 Any objections at this last stage must be substantiated immediately to the satisfaction of the Presbytery, and substantiated objections arrest procedure.

233.2 It is the duty of clerks of Presbytery to find out whether a minister-elect is on the Pension Fund in good time before his/her service of induction.

234. When no objections are given in, or when they cannot be substantiated immediately, it is the duty of the Presbytery to proceed with the ordination and induction, or with the induction alone, according to appointment. The Presbytery thereupon repairs to the place of worship where the minister appointed to that duty conducts public worship and preaches a suitable sermon. The moderator for the time being then causes the principal steps taken towards filling the vacancy to be narrated, and calls on the minister-elect to answer the questions appointed to be put to candidates for ordination. *(See Section 409.)*

235. When satisfactory answers have been given the candidate for ordination kneels, and the presiding minister offers prayer, during which, by the laying on of the hands of the Presbyters the candidate is solemnly set apart to the office of the holy ministry, and commended for guidance and success therein to the grace of God. The moderator then gives him/her the right hand of fellowship, saying: "In the name of the Lord Jesus Christ, the only king and head of the Church, and by the authority of the Presbytery of , I invite you to take part of this ministry with us, induct you to the pastoral charge of this congregation and admit you to all the rights and privileges thereto pertaining, subject to the regulations concerning retirement." The other members of Presbytery also give the right hand of fellowship.

235.1 Ordination is with prayer and the laying on of hands, in which *"all the ministers present,"* and they alone join. Induction is, after prayer, with solemn invitation and the right hand of fellowship, in which *all the members of Presbytery present*, and they alone, join. *(For regulation re intention of term of induction see A & P, 1979, page 470.)*

235.2 When the person being ordained and inducted is to be the Assistant Minister having been called to a specific term of years, paragraph 235 may be used except that after naming the Presbytery, the presiding minister shall say, "I invite you to take part of this ministry with us, induct you to the pastoral charge of this congregation as Assistant Minister for the term of years, and admit you to all the rights and privileges thereto pertaining."

5. The actions of General Assembly from 1953-1981 on this matter

1953 The Synod of Manitoba overtured the General Assembly asking that a special committee to study the proposition that "in the Church there is neither male or female" (*A&P,* 1953, p. 393). The Assembly appointed a committee called "The Committee on the Place of Women in the Church". It was chaired by the Rev. Louis H. Fowler (later to be Principal Clerk of the Assembly) and consisted of five men.

1954 The Committee was asked to study the question of the ordination of women. Six women were named as non-voting members of the committee.

1955 The Committee received permission to send a questionnaire to all presbyteries and WMS presbyterials asking whether or not they favoured the ordination of

women to the eldership and to the ministry of the Word and Sacrament. Debate and discussion ensued in the *Presbyterian Record* and throughout the Church.

1956 The results of the questionnaires were received. Out of 48 presbyteries 34 reported with 30% in favour of women elders and 16% in favour of women ministers. 52 presbyterials reported with 48% in favour of women elders and 36% in favour of woman ministers. The Assembly approved a recommendation stating that the Church was not ready to ordain women. The Committee was allowed to continue its study.

1957–8 The Committee turned its concern to alternate ways of securing a voice for women in the courts of the Church.

1959 A Commission of the World Council of Churches issued a report in favour of the ordination of women. A movement began to reopen the question.

1960 A young woman presented herself to a Kirk Session in the Presbytery of Guelph to be certified as a candidate for the ministry. An overture from the Synod of Toronto and Kingston called for the Assembly to make a decision on this issue as soon as possible. A motion was presented to that Assembly asking that the question of the ordination of women be remitted to the presbyteries under the Barrier Act. The Committee on the Place of Women in the Church was asked to study the problems raised by such a possibility. The Rev. Mr. Eoin S. Mackay was appointed as the new convener.

1961 The Presbytery of Montreal overtured that General Assembly to withhold any decision until there had been a chance for a doctrinal statement to be made on the matter. The Committee on the Place of Women itself began this study and asked the Committee on the Articles of Faith (now called the Committee on Church Doctrine) to undertake a study on the doctrine of Women.

1962 In its report to Assembly that year the Committee reported that it had worked closely with Articles of Faith to reach "the biblical understanding of man (male and female constituting the full nature of human being"). They stated that "such a study naturally raises the question of the nature and scope of biblical authority" (*A&P*, 1962, p. 292)

1963 The Committee came to the Assembly with a strong statement about the partnership of men and women in ministry (*A&P*, 1963, p. 307). It also perceived that the church had to open itself to the whole teaching of the scriptures in this matter.

The real question before the Church is what this should mean in actual practice. It seems to mean that all aspects of the Church's life and work should be open to women and yet, as we all know, scripture can be quoted against scripture on this point. We believe that in facing this biblical problem the Church must strive and come to know by the Holy Spirit what the gospel has to say on this issue and, in thought and action, be governed by its truth.

In order to help the Church achieve a biblical understanding, the Committee was granted leave by Assembly to distribute a study booklet "Putting Woman in her Place" to the whole Church.

1964 Encouraged by the response throughout the Church, the Committee came to the Assembly with another strong report (*A&P*, 1964, pp. 386-88). On the issue of the interpretation of scripture it affirmed, that the problem of discerning the Word and will of God in the Bible regarding this matter, as in fact regarding all matters, involves a doctrine of scriptural interpretation. As we all know from our own experience, to approach the question of the place of women in the Church by quoting isolated proof-texts always ends in an impasse. Scripture can be quoted against Scripture on so many points. The responsibility of the Church regarding this question is to strive to discern the truth which God is addressing to mankind through the testimony of Holy Scripture. The cause of truth can only be truly served both in the Church and in the world as the Church comes level with the fundamental fact that the prophetic-apostolic Word of God of which the incarnate form and content is Jesus Christ is not to be identified in any mechanical way with the individual words of Scripture. To put it bluntly, a verse we may read in Leviticus or in a Pauline epistle must be judged and, if necessary

modified or corrected in the light of Jesus Christ and the essential message of the gospel. The confession that both Church and Bible stand under the final authority of the Word of God is a cardinal tenet of reformed theology.

The Committee then placed the following recommendations before the Assembly,

1. That the Presbyterian Church in Canada remind all women of the Church of their responsibility and opportunity to serve Jesus Christ and their fellow human beings in all aspects and activities of life and foster by all possible means the full acceptance of women in the life and work of modern society.
2. That the Presbyterian Church in Canada devise ways and means of providing opportunities for truly Christian man-woman relationships within the fellowship and work of the Church and encourage other branches of the Church to do the same.
3. That the Presbyterian Church in Canada affirm the right of women who believe themselves called by God and in whom the Church is able to discern the necessary gifts to enter and share the ministry of Word and Sacrament in all its aspects.
4. That in the Presbyterian Church in Canada the right to serve in any and all courts of the Church be without any distinction as between male and female.
5. That recommendations 3 and 4 be sent down to Presbyteries for study and report to this Committee by March 31, 1965, with a view to issue in action at the 1965 General Assembly.
6. That this Assembly encourage use of the study-guide "Putting Woman in Her Place" in all courts and congregations of the Church in conjunction with the material presented in this report.

The Assembly referred the entire report to the presbyteries for study and report to the Committee by March 31, 1965 "with a view to issue as action at the 1965 General Assembly" (*A&P*, 1964, p. 48).

1965 The Committee reported that 32 of 49 presbyteries had reported. 21 out of the 32 (65%) had reported in favour of the ordination of women to the eldership and 18 out of 32 (56%) in favour of ordination to the Ministry of Word and Sacrament. The shift from 30% and 16% nine years earlier was seen as "a definite trend towards the acceptance into full partnership in the life and work of the Church" (*A&P*, 1965, p. 384). The Committee recommended in terms similar to their recommendations of 1964,

1. That the General Assembly, concerned for the responsibility and opportunity of all members of the Church to serve Jesus Christ and their fellow human beings in every aspect and activity of life, call the Church to foster the acceptance of women as full partners in the life and work of human society.
2. That the Presbyterian Church in Canada devise ways and means of providing more opportunities for truly Christian man-woman relationships within the fellowship and work of the Church and encourage other branches of the Church to do the same.
3. That the Presbyterian Church in Canada affirm the right of women who believe themselves called by God and in whom the Church is able to discern the necessary gifts to enter and share the ministry of Word and Sacrament in all its aspects.
4. That in the Presbyterian Church in Canada the right to serve in any and all courts of the Church be without any distinction as between male and female.

Recommendation 1 was adopted. Recommendation 2 was amended to read, "That the Presbyterian Church in Canada continue to devise ways and means of providing more opportunities for truly Christian man-woman relationships

within the fellowship and work of the Church" (*A&P*, 1965 p. 52.). At a subsequent sederunt of the court, the chairman of the committee, Mr. Mackay, withdrew Recommendations 3 and 4 and the Assembly agreed "that the substance of recommendations 3 and 4 be sent down to the presbyteries of the Church under the Barrier Act in the form and terms required by the said Act" (*A&P*, 1965, p. 108).

1966 The results of the Barrier Act procedures were as follows: 31 Presbyteries voted for the ordination of women to the eldership (66%), 16 against (34%); 26 presbyteries voted for the ordination of women to the ministry of the Word and Sacrament (55%) and 21 voted against (45%). At the Assembly, the Committee moved in these terms.

The Committee re-affirms recommendations 3 and 4 of its report to the 1965 Assembly (A.&P., 1965, page 385), and recommends that the Assembly pass enabling legislation in both sections of the Remit, the text as sent to the presbyteries being as follows:

(First Amendment: Ordination of Women to the Eldership)

"By enactment of the General Assembly, women are eligible to become elders of the Church, and any reference herein or hereafter in the Book of Forms to men as elders shall refer, *mutatis mutandis*, to women, where applicable."

(Second Amendment: Ordination of Women to the Ministry)

"By the enactment of the General Assembly women are eligible to become ministers of the Church, and any reference herein or hereafter in the Book of Forms to men as candidates for the ministry, as licentiate or as ministers shall refer, *mutatis mutandis*, to women, where applicable."

The passage of the amendments to the Book of Forms through the Assembly is hard to follow in the minutes of that meeting. The first amendment (the ordination of women to the eldership) was passed by a show of hands with some dissent. (*A&P*, 1966, p. 52).

DISSENT

Mr. J.F. Nute and those associated with him, requested and obtained permission to dissent for reasons to be given in.

The dissent was duly submitted at the twelfth sederunt.

DISSENT

We, the undersigned Commissioners, record our dissent to the motion of approval of the ordination of women to the ruling eldership for the following reasons:

1. It is contrary to the *doctrine* and *example* of Holy Scripture which is our only rule of faith and practice.
2. It is contrary to the historic Reformed faith.

David Mawhinney	William E. McCraw
John M. Anderson	Leslie R. Files
John F. Nute	Paul D. Scott
R. Douglas MacDonald	R. Balderston
Archibald Brown	Robt. A. Mortley
Alex MacLennan	Albert Caunt
Donald Nicholson	Alex Ross
R.W. Ross	A. Donald MacLeod
John R. Fourney	Alfred Williamson
Stanley D. Self	Robert Drummond
Clare McGill	Leo E. Hughes
K.C. Thomas	John C. Brush

(*A&P*, 1966, pp. 57–8)

At a later sederunt it was agreed to strike a committee to answer the dissent of the twelfth sederunt. (*A&P*, 1966, p. 98, 99).
The answer was delivered at a later sederunt and a protest lodged.

ANSWER TO DISSENT

The Assembly called for the Report of the Special Committee re Dissent re Ordination of Women, which was handed in by Mr. J.E. Sutherland, on whose motion, seconded by Dr. D.C. Smith, it was adopted as follows:
In reply to the reasons for dissent to the motion of approval of the ordination of women to the ruling eldership, recorded in the minutes of the Twelfth Sederunt, this General Assembly would point to the content of the Report of the Committee re the Place of Women in the Church. By the adoption of this Report and the approval of the recommendation on the ordination of women to the ruling eldership the General Assembly has affirmed its conviction that such action is "in obedience to Jesus Christ who is the Word of God as His Will is made known through the witness of the Holy Scriptures, as the Spirit attests the essential content of that witness to the Truth" on this matter and is in keeping with a true understanding of the faith of our Church, *reformata et semper reformanda* (reformed and always reforming).

PROTEST

Dr. A. Brown asked and obtained permission to enter Protest against the answer to Reasons for Dissent. (*A&P*, 1966, p. 116)

Meanwhile, the second amendment (the ordination to the Word and Sacrament) was moved. A vote by ballot was requested and acted upon. The results of the ballot were 133 in favour (65%) and 72 opposed (35%) (*A&P*, 1966, p. 77). It was then moved that the texts of both amendments be "enacted into the Law of the Church" (*A&P*, 1966, p. 78). This was done. At a later sederunt 32 or 44% of the 72 commissioners who had voted against the second amendment registered their dissent on the grounds that they could "find no authority in Scriptures that would require or permit women to be ordained to the teaching eldership" (*A&P*, 1966, p. 99).

By the action of the 1966 General Assembly, it became the law of The Presbyterian Church in Canada that women could be ordained to both the ruling and teaching eldership. It must be remembered that no woman could speak in the debate except with the permission of the courts or vote in any court of the church during the long process of approval.

1966–1980 Women of all ages were ordained to the ministry of the Word and Sacrament and many more were elected and ordained to the ruling eldership. The ordination vows were changed in 1970 (though not substantially on the issue of obedience to the courts of the Church) and in 1979 the *Book of Forms* was altered to make all the pronouns inclusive.

1980 Mr. D. McDougall came before a committee of the Presbytery of East Toronto to be licensed as a minister of The Presbyterian Church in Canada. During the examination, Mr. McDougall told the committee that he could not ordain women, on conscientious grounds but agreed. The presbytery refused to license him. The matter was appealed to the Synod of Toronto and Kingston who upheld the presbytery. The case was appealed up to the General Assembly. A special committee was struck and reported to the Assembly in the following terms.
We affirm that our theology of ministry has since 1966 included both women and men in the Order of Ministry of the Word and Sacrament.
We affirm that the Ministry of Word and Sacrament is an essential aspect of the Gospel ("how shall they hear without a preacher") and not merely peripheral to it as is implied in Overture No. 5 where ordination seems to be put in the category of "matters not of the essence of the Gospel."

We affirm that the ordination of women is a part of the doctrine of the Church which every minister is required to confess.
We affirm the liberty of conscience so magnificently set forth in the 20th chapter of the Westminister Confession of Faith. But we deny that this liberty of conscience is applicable to "such doctrine as the Church, in obedience to Scripture and under the promised guidance of the Holy Spirit may yet confess in its continuing function of reformulating the faith." (Book of Forms Section No. 409). The ordination of women clearly belongs to this category of doctrine.
We affirm that the confession of this doctrine carries with it the further requirement of participation in the act of ordination of all candidates, whether men or women.
We affirm that the strict application of the above would be ill-advised with respect to some present ministers and candidates for ordination in the light of the fact that the requirement that all teaching elders must participate in such ordinations has not been enjoined by any Assembly to this date. Therefore we allow an exception to be made in the case of those who will be ordained this year, and instruct the Presbytery of East Toronto to license Mr. D. McDougall.
We give notice to all concerned that no further exceptions will be made after 1980.
We decree that ordinands in 1980 and all ministers presently ministering within our Church who are opposed to ordination of women be excused from participation in such ordinations for a period of ten years provided they cooperate fully with all ministers and elders of the Church and abstain from prejudicing their people against the election of women to the ruling and teaching eldership.

RECOMMENDATION:
That the above be the response of the 106th General Assembly to Overtures 3, 5, 10, 30 and Memorial No. 1.

Although the report and its recommendations were adopted by a sizable majority of that Assembly, there was written dissent on both sides. Among the issues raised by the dissents were most of the concerns that were to result in over forty overtures and memorials to the 1981 General Assembly (*A&P*, 1980, pp. 92-95).

1981 In response to the overtures and memorials, a special committe of the 1981 Assembly was struck that brought in the following report and recommendations.

Moderator, your Special Committee on the Ordination of Women met as instructed and begs leave to report as follows: We have examined in detail, every Overture, Memorial and Petition bearing on our subject and have identified the concerns and prayers of each and every one of them. Amongst the concerns articulated in these documents were the following:—

1. Potential for divisiveness.
2. Undue haste in the Decision of 1980 re: Overtures 3, 5, 10, 30 and Memorial 1.
3. Questionable legality of the Decision of 1980 as a permanent, binding enactment.
4. Perceived change from the enabling legislation of 1966 to the subsequent legislation of 1980.
5. Problem of liberty of conscience.
6. Restriction of 1990 set by 1980 decision.
7. Uncertainty and anxiety of Candidates for our ministry, related to the 1980 decision.
8. Inhibition of the emergence of gifted women in service and leadership.
9. Rejection of qualified men for ministry due to conscientious scruple on this issue.

Throughout the Overtures, Memorials and Petitions there were a number of recurrent themes, whether the documents were negative, positive, or conciliatory in their attitude toward the action of the General Assemblies of 1966 and 1980.

In general terms there were some matters that seemed to us not given to immediate resolution, nor indeed was the prayer in many cases seeking an immediate answer or resolution. In support of this statement there are repeated appeals for reference either to a Task Force, or to an Assembly Committee, principally the Committee on Church Doctrine, to conduct study and research with instruction to report to the General Assembly in one year's time. There are other matters about which something might, indeed must, for the good order, harmony and direction of the Church be said now. With these, we begin our comment.

The main question before us, in our estimation, is of the nature of the ministry in the Church rather than the 'essence of the gospel' as such. This leads us directly to express a pastoral concern for four groups of people identified in the documents before us.

Firstly, a concern for those women, who, since 1966, were ordained into the teaching and ruling eldership and for those who are now preparing for ordination. To this end, the Committee would affirm its support of the decision of the 92nd General Assembly (1966) regarding the ordination of women to the teaching and ruling eldership, and urges the co-operation of all our people in the continued work and witness of these women. There must be no dubiety in their minds as to their full standing in the eldership, nor in the minds of the membership as to their standing in the Church.

Secondly, we are also concerned for those men whose interpretation of the biblical and doctrinal literature leads them to the conclusion that they cannot participate in the ordination of women to either teaching or ruling eldership. It is in response to this situation that the plea for liberty of conscience has been raised in a variety of ways. Our reading and understanding of the proof-texts cited in the Westminster Confession of Faith (XX: 1, 2, 3, 4) and from Calvin's *Institutes* (Bk. IV:10) is that at this point we are dealing with a concept that has a long and complex history in its use and application. It is our conclusion that in whatever way, to whatever extent, liberty of conscience is granted to any Christian (ordained or not) it must be done within the framework and discipline of the Church.

At the moment we would appear to have liberty of conscience on some matters, and not liberty of action. Since this situation does not meet the pastoral need of those whose scruples prevent them from participation in the ordination of women, some other mechanism within the Church must be found for that purpose. 'Any exemption' from the full exercise of ministry is not something which can be individually claimed but only granted by enacting new legislation by way of Declaratory Act, or under the Barrier Act. The preparation of such legislation is more properly the work of a special Task Force of the Committee on Church Doctrine.

Thirdly, our Committee is concerned particularly for young people (men or women) whose sense of calling to the ministry is frustrated by the present uncertainty concerning the position of our Church regarding the ordination of women and participation in such ordination. To them we speak in terms of continuing support of the decisions of the 92nd General Assembly regarding the full partnership of men and women, and in terms of our recommendation dealing with liberty of conscience.

Finally our Committee would express the concern of the Church for the members of congregations from coast to coast and overseas whose peace of mind, body and spirit, has been upset in whatever degree by the controversies surrounding the ordination of women and the issue of liberty of conscience. For them, as much as for any special group in particular, we beg leave to make the following recommendations, which we feel can best serve the Church at this time.

Recommendation 1.
That the Church delegate to an appropriate and representative Task Force or Committee the study of liberty of conscience in this particular context, and bring to the 108th General Assembly material basic to a Declaratory Act or legislation for submission to the presbyteries under the Barrier Act, designed to meet the conscientious reservations of those who at the moment have no channel provided by the Church to ease their crisis of conscience.

Recommendation 2.
Whereas the 1990 stricture, in the Report of the Special Committee re: Overtures 3, 5, 10, 30 and Memorial 1, approved by the 106th General Assembly has occasioned considerable anxiety, we recommend that the 107th General Assembly withdraw the stricture or declare it inoperative.

Recommendation 3.
Until the aforementioned Declaratory Act or Barrier Act legislation is approved, candidates for ordination or reception into our ministry be instructed to study the Preamble and Ordination Questions as a directive in their preparation for service within The Presbyterian Church in Canada under the lawful oversight of its Courts.

Recommendation 1 was amended to delete all words after "Barrier Act". It was carried as amended. The subsequent amendments and reinterpretations of the report can be found in the Acts and Proceedings for 1981. After several amendments and some procedural confusion, Recommendation 2 was adopted in these terms.

> Whereas the 1990 stricture concerning the ten year clause only and in reference only to the clergy already ordained, in the report of the Special Committee re: Overtures 3, 5, 10, 30 and Memorial 1, approved by the 106th General Assembly has occasioned considerable anxiety, we recommend that the 107th General Assembly declare it inoperative until such time as the legislation referred to in Recommendation 1 be adopted by a future General Assembly.

At a later sederunt, in response to questions by confused commissioners, the Special Committee clarified its intention in Recommendation 2.

> "Your Special Committee on the Ordination of Women was asked at the eighth sederunt to provide clarification of Recommendation 2 of our report. Your committee begs to make this clarification at this point in time. It is the unanimous opinion of your committee that we intended only to remove the six words "for a period of ten years", leaving the remainder of the statement complete as printed on Page 62 of A. & P. 1980."

Recommendation 3 was eventually deleted and replaced by the following Act which was adopted.

> "That in accordance with the action of the 1966 General Assembly to ordain women to the ministry of Word and Sacrament and to the ruling eldership and the action of the 106th General Assembly re-affirming the 1966 Decision and stating that all candidates for ordination or ministers entering the ministry of The Presbyterian Church in Canada after 1980 be required to participate in the ordination of women to the ministry of Word and Sacrament, this 107th General Assembly hereby passes a Declaratory Act that until new legislation is enacted all persons entering the ministry of The Presbyterian Church in Canada after 1980 be required to participate in the ordination of women to the eldership and to the ministry of Word and Sacrament."

6. Variants in editions of the Book of Forms

After the action of the General Assembly in 1966 and until the new looseleaf edition of the *Book of Forms* in 1979 that altered all masculine pronouns in such a way that women were included in each statement, the following statements appeared at the end of Chapter I:

ORDINATION OF WOMEN TO THE ELDERSHIP

By enactment of the General Assembly, women are eligible to become elders of the Church, and any reference herein or hereafter in the Book of Forms to men as elders shall refer, *mutatis mutandis*, to women, where applicable. (Minutes, 1966, pp. 47, 78.)

ORDINATION OF WOMEN TO THE MINISTRY

By enactment of the General Assembly women are eligible to become ministers of the Church, and any reference herein or hereafter in the Book of Forms to men as candidates for the ministry, as licentiates or as ministers shall refer, *mutatis mutandis*, to women, where applicable. (Minutes, 1966, pp. 47, 78.)

Note: *Mutatis Mutandis* is glossed "with the necessary changes-references to be altered all the way through according to decree."

Since the language has been made inclusive, these statement no longer appear. After the passage of the Declaratory Act of 1981, a new clause was added to Section 407 and sent out to the Church by the Clerks of Assembly. The clause reads as follows:

407.3 In 1981 adopted following Declaratory Act —
"Until new legislation is enacted all persons entering the Ministry of The Presbyterian Church in Canada after 1980 be required to participate in the ordination of women to the eldership and to the ministry of Word and Sacrament."

7. Formula to be signed at Ordination, Induction or Reception of Minister *Book of Forms*, 1979, Section 408.

408 FORMULA TO BE SIGNED AT ORDINATION OR INDUCTION OR RECEPTION OF MINISTER.

I, A.B., do by my signature testify my adherence to those things declared and required to be accepted in the Preamble and Questions at the Ordination of a Minister.

8. Statements of Boards and Committees of the Church on this matter.

a) 1980

At the 106th General Assembly the Board of Ministry presented a statement concerning women in ministry. The full text will be found on pages 355-358 of the Acts and Proceedings for 1980. The following are excerpts from that statement:

How Does An Appeal To Liberty Of Conscience Relate To The Ordination Of Women?

In the Basis of Union (1875) of The Presbyterian Church in Canada the subordinate standard of our church is spelled out as the Westminster Confession of Faith. The Larger and Shorter Catechisms are "appointed to be used for the instruction of the people". Immediately after this statement reference is made to "liberty of conscience" in the following terms:

> . . . it being distinctly understood that nothing contained in the aforesaid Confession or Catechisms, regarding the power and duty of the civil magistrate, shall be held to sanction any principles or views inconsistent with full liberty of conscience in matters of religion. (*Book of Forms* #406, 2).

It is clear that liberty of conscience is specifically related to one issue: the power and duties of the civil magistrate. An appeal, therefore, to "liberty of conscience" when one

disagrees with some decision or another of the church cannot be supported from the Basis of Union.

Dealing with Dissent.

It is clear that the Confessions and legal decisions of the church are to be judged by appeal to Scripture and the corporate mind of the church as it is led by the Holy Spirit. The church must always be open to being corrected in matters of doctrine. This is captured succinctly by the preface to the Scots Confession:

> . . . if any (one) will note in this our Confession any article or sentence repugning to God's holy word, that it would please him/her of his/her gentleness, and for Christian charity's sake, to admonish us of the same in writ, and we of our honour and fidelity do promise unto him/her satisfaction from the mouth of God (that is, from his holy Scriptures), or else reformation of that which he/she shall prove to be amiss. (*John Knox's History of the Reformation* — W.C. Dickerson, vol. 2, p. 258).

The openness of our church in this regard is encouraged through a dissent procedure in which those who oppose a decision of a court may ask that their dissent be recorded with written reasons to be submitted. The court (or a higher one) may prepare answers to the reasons of the complaint and if the complaint or appeal be dismissed by the highest court the decision of the original court stands affirmed. (*Book of Forms* 82–104).

So, in the case of the decision of the ninety-second General Assembly, twenty-four commissioners registered their dissent for two reasons:

(a) It is contrary to the *doctrine* and *example* of Holy Scripture which is our only rule of faith and practice.

(b) It is contrary to the historic Reformed faith. (*Acts and Proceedings:* (1966), pp. 57f).

The reply to this dissent referred to the Report of the Committee re the Place of Women in the Church (*Acts and Proceedings* (1965) pp. 384) and added:

> By adoption of this Report and the approval of the recommendation on the ordination of women to the ruling eldership the General Assembly has affirmed its conviction that such action is "in obedience to Jesus Christ who is the Word of God as His Will is made known through the witness of the Holy Scriptures, as the Spirit attests the essential content of that witness to the Truth" on this matter and is in keeping with a true understanding of the faith of our church, *reformata et semper reformanda (Acts and Proceedings* (1966), p. 116).

The result is that the law of the Presbyterian Church clearly recognizes the ordination of women equal with that of men. One may extend this further and say that our theology of ministry, has, since 1966, included both women and men in the order of the Ministry of Word and Sacrament. This has become part of the doctrine of our church.

Implications from our Presbyterian Polity.

At this point our theology and our polity cannot be separated. If the second ordination/induction question involves us theologically in the issue of the ordination of women (as has been argued above), the third question is also relevant:

> Do you accept the government of this church by sessions, presbyteries, synods and general assemblies, and do you promise to *share in and submit yourself to all lawful oversight therein,* and to follow no divisive course but to seek the peace and unity of Christ among your people and throughout the Holy Catholic Church? (*Book of Forms* #409, italics supplied).

When the ninety-second General Assembly made the ordination of women the law of our church, presbyteries were bound to abide by this law according to our polity as a Presbyterian Church. The submission of ordinands and ministers to this polity means the acceptance of presbytery as corporate bishop. This means that if there is an action of presbytery regarding the call or ordination of a woman, a presbytery may require presbyters to participate in such a decision and may not tolerate active opposition against the law of our church. A presbytery may censure one of its members for failing to submit to its oversight and may even refuse to licence, ordain, or induct someone who declares an inability to submit to the presbytery on this matter. This is not an issue of power but of order. The individual is not ultimate but has accepted an ordering of his or her life by the church in the belief that God continues to speak through the church and its courts. Of course, this does not mean that all of this should be conducted in a cold, legalistic manner. There must be

understanding, love and patience, but not at the expense of what is just. Such justice requires upholding the law of the church which recognizes that the call of God to ministry is open equally to women and men.

Also at that Assembly, a special committee chaired by the Rev. Irene Dickson reported to the Assembly. The Committee had been established by the previous Assembly as a way to answer a Memorial from the Presbytery of Montreal. The full report begins on p. 393 of *A & P* for 1980. The Committee began by explaining its terms of reference.

The Memorial was concerned with the place of women in The Presbyterian Church in Canada who in trying to obey Christ's call to His Ministry "are experiencing discrimination and prejudice at all levels of Church". (A & P. 1979, p. 466)

The Memorial asked that the committee undertake:

1. Education of the church in the implications of its law and commitment with regard to the ordination of women;

2.a. Change in the attitudes which cause congregations to be unwilling to consider a woman as their minister; interim-moderators to be unduly influenced by this prejudgment; presbyteries to permit this prejudice; and boards and committees of Assembly to be insensitive to the issue of discrimination against women in ministry.

2.b. Change in the attitudes which cause congregations to be unwilling to consider women as ruling elders, and presbyteries which permit this prejudice amongst their members;

3. Modification of the church's language and terminology, both oral and written, on all church bodies, so as not to be exclusive of women, with particular attention to the Book of Forms, the Book of Common Order, and the Book of Praise.

As part of their work, the Committee prepared and mailed a questionnaire. We include the results here. Commissioners are reminded that this survey was made just over two years ago.

In order to discover the mind of the Church regarding women in ministry, a fact-finding questionnaire was designed primarily using quotations and ideas from Memorial No. 1. (1979)

The questionnaire was mailed to 282 persons in 44 presbyteries through a random sampling using the names of every 7th person. For ministers, the 1st, 8th, 15th, etc. persons named were used. For elders the 2nd, 9th, 16th etc. were used. Exceptions to this choice were made for vacancies and multiple charges.

The questionnaire was mailed to:

120 male ordained ministers (in pastoral charges only)
120 clerks of session
42 ordained women ministers

Replies came from:

50 male ministers
47 clerks of session
21 women ministers

The numerical response was 42 percent. Usually 10 or 12 percent is considered good. The committee is grateful for the number of respondants who completed the questionnaires and wrote additional comments.

ANALYSIS OF THE RESPONSES

The committee will not present the entire questionnaire with all the information gained from responses but will comment on some of the questions and answers in order to present the main emphases.

CONCERNING WOMEN AS RULING ELDERS

It seems obvious to the committee from the responses given that the Church has accepted the ordination of women as ruling elders. Behind the election of women to the position of ruling elders, there has been a positive awareness of the leadership abilities and

gifts women have brought to the office. Women have been elected in congregations, not as "token" elders, but as active, competent individuals whose gifts have been openly recognized by the Church members with whom they have worshipped and worked.

Only three respondents showed opposition to the ordination of women as ruling elders. The reasons given were:

a. an interpretation of Scripture maintaining that ordination of women to the eldership is contrary to the doctrine and example of Holy Scripture.
b. a belief that ordination of women is contrary to the historic reformed faith.

Since 86 respondents approved of ordaining women elders, the committee concludes that women as ruling elders are accepted within The Presbyterian Church and are making a positive contribution to it. (29 persons did not respond)

Ministers and elders requested some kind of *educational process* in congregations and presbyteries so that women might be better prepared to undertake the responsibility of eldership when invited to do so. For some women, the tradition of the elder as male has been so dominant that they have been unable to participate in the office.

There are congregations that have not yet elected any women as elders. Some of these congregations indicate that they will do so when the occasion arises. The fact that no action has been taken in those congregations over a period of fourteen years points to the need for education in sessions, congregations and presbyteries in order to help people respond to the implications of women as ruling elders.

Such an educational programme would strengthen the church in observance of its law and commitment regarding the ordination of women as ruling elders.

CONCERNING WOMEN AS ORDAINED MINISTERS OF THE WORD AND SACRAMENT

Positive attitudes concerning women as ordained ministers of Word and Sacrament were expressed in the questionnaire by 77 respondents who were happy about the decision The Presbyterian Church in Canada made in 1966. These respondents commented on the significance of God's call. Their conviction is that if a person is called by God to the ministry of Word and Sacrament, the sex of the individual does not restrict that person from ordination. "If women feel a true call to the ministry, every opportunity should be given them." "God calls both men and women to serve Him".

The committee notes here that the 1966 statement stressed the importance of the call as "the basic theological issue: the call of Jesus Christ to women to bring all of their distinctive gifts into a partnership with men in every relationship of human life and the concomitant call of Christ to men to accept such a giving and to respond to it wholeheartedly". (A. & P. 1965, p. 384) As a result of the decision taken in 1966, the Church has been reaping the benefit of the involvement of women in the ministry of Word and Sacrament for the past fourteen years. Responses also revealed positive attitudes that have come where women ministers have served their churches faithfully for a number of years and have effected change in the attitudes of others by their ability to preach, to visit and to care for people.

There are, however, *negative attitudes* as well. On the ordination of women to the ordained ministry, 77 were in a agreement, 2 were strongly opposed but accepted because the church has agreed, 2 agreed with strong reservations, 2 were opposed, and 2 were uncertain. (33 persons did not respond) Regarding the *observation* of positive and negative attitudes to women in ministry —

91 perceived positive attitudes and 22 did not (no response from 5)

65 perceived negative attitudes and 43 did not (no response from 10)

The negative attitudes come from adherence to a church tradition where for years men only have been given the position of ordained minister of Word and Sacrament. Negative attitudes come also from a minority convinced that Scripture does not allow women to be ministers. The dissent is expressed in quotes like these:

"There are still those who find it impossible to accept women as ministers of word and sacrament — some on traditional and cultural grounds — some based on their interpretation of Scripture."

"Only when individuals can be convinced that it is not a violation of Scripture will the issue be resolved."

The committee states emphatically that the responses by the majority of respondents reveal a deep reluctance to re-opening the question of ordination of women to the ministry

of Word and Sacrament. This was *not* a matter raised in the questionnaire but it was added in comments from the respondents who paid tribute to the contribution of women ministers over the past fourteen years and who called for a process of education in order to help the church regarding the implications of the change initiated by the decision of 1966.

b) 1981

i. At the 107th General Assembly in 1981, the Committee on Church Doctrine presented a long statement on the question of Liberty of Conscience. It was received by the Assembly for study and comment. Commissioners may wish to read it in its entirety since it speaks to many of the underlying issues of the Task Force's concern. It is found on pages 223–226 of the Acts and Proceedings for 1981. We include part of the discussion of Chapter XX of the Westminster Confession (see above), the discussion of Calvin's position from the *Institutes*, Book 4, Chapter 10 and the conclusions:

Issues Raised by Chapter XX

The Confession declares that "God alone is Lord of the conscience". John MacPherson noted: "This is a fundamental principle of Protestantism. The Christian conscience cannot be co-erced. It may be instructed, it may be appealed to, but it may not be forced". With this statement we surely agree. When a stand is taken in the name of conscience against a repressive authority that denies religious freedom, as has occurred, the Church would certainly grant the legitimacy of the appeal, and, in fact, support it. But what do we do when some of our members appeal to "liberty of conscience" in direct opposition to corporate decisions of the church which are believed to be "founded upon and agreeable to the Word of God"? A search for a solution through purely individual understanding and interpretation of Scripture leads down a blind alley — text will be quoted against text; Scripture is not a "nose of wax", and it is to be interpreted corporately. Chapter XX: 4 raises the question of the "liberty of conscience" to the lawful authority and orderliness of the church. It is stated that to resist lawful power, either civil or ecclesiastical, "upon the pretense of Christian liberty" is to resist the ordinance of God. John Calvin offers much insight into the issues at hand. We now consider his comments.

Calvin's Position Institutes *Book 4 Chapter 10*

Calvin affirms the authority of God and the rule of his Word (4.10.7) and he asserts that the Church cannot bind consciences by making obligatory a constitution containing things conceived apart from the Word of God (4.10.6) He argues that in fact any human laws made by magistrates or by the Church, which are good & just, do not of themselves bind conscience. Our obligation to observe them looks to the general purpose of the law. "For tho' individual laws may not apply to the conscience, we are still held by God's general command, which commends to us the authority of magistrates". (4.10.5)

Paragraphs 27 to 32 detail Calvin's view of the lawful ordering of church government & the free conscience. He begins with the statement that in human affairs organization is necessary for peace and concord. He says that this is especially true in the Churches "which are best sustained when all things are under a well-ordered constitution, & which without concord become no churches at all". (4.10.27) However, such constitutions do not "bind consciences by scruples" because their observance is "not to be considered necessary for salvation".

Calvin goes on to suggest the sorts of things which fall into this category where order is appropriate to instill proper reverence and to maintain peace in the Church. He mentions women covering their heads for prayer, praying with knees bent, hours for public worship and "the fact Paul forbids women to teach in the Church". (4.10.29)

With reference to all these matters, Calvin states ". . . the Lord has in his sacred oracles faithfully embraced & clearly expressed both the whole sum of true righteousness, & all aspects of the worship of his majesty, & whatever was necessary to salvation. Therefore in these the Master alone is to be heard. But because he did not will in outward discipline & ceremonies to prescribe in detail what we ought to do (because he foresaw that this depended upon the state of the times, & he did not deem one form suitable for all ages) here we must take refuge in those general rules which he has given, that whatever the necessity of the Church will require for order & decorum should be tested against

these . . . Because these things are not necessary to salvation & for the upbuilding of the Church ought to be variously accommodated to the customs of the nation and age, it will be fitting . . . to change & abrogate traditional practices and to establish new ones." (4.10.30)

Ordinances drafted by this rule are to be kept "with a free conscience, indeed without superstitution, yet with a pious & ready inclination to obey". (4.10.3) Mutual love keeps us from violating them out of pride & obstinacy.

As an example, Calvin writes "Is the decree of Paul's concerning silence so holy that it cannot be broken without great offense? . . . Not at all . . . There is a place where it is no less proper for (a woman) to speak than elsewhere to remain silent". Established practice is to be carefully regarded. Willfulness simply out of contempt is to be disapproved. In matters of public order, bowing to individual opinion leads to contention and confusion. (4.10.31)

Therefore, Calvin concludes in paragraph 32 ". . . each one of us will keep his freedom in all these things; yet each one will voluntarily impose some necessity upon his freedom, in so far as this decorum of which we spoke or consideration of love shall require." The upbuilding of the Church is the purpose of such ordinances. "If the church requires it, we may not only without any offense allow something to be changed but permit any observances previously in use among us to be abandoned." (4.10.32)

Conclusion

The WCF chapter XX.4 is consistent with Calvin. Liberty of conscience and authority which God ordains are not intended to destroy but to uphold and preserve one another. Freedom of conscience and peace and order within the Church are all gifts of Christ.

Individual conscience is not the final authority in the life of Church. While ecclesiastical authority does not bind conscience in matters "contrary to or beside" the Word of God, for the sake of love and to protect the peace of the Church, an individual voluntarily imposes some necessity upon himself or herself to obey that lawful authority. Church censure in cases of contentious disobedience will not be an attempt to bind conscience but rather to maintain the order and peace of the Church.

ii. Following the action of the 1980 Assembly and in response to the growing concern within the church during this spring of 1981 over the issue of liberty of conscience, the Board of Ministry considered the matter again and incorporated a further statement in its report to the 1981 Assembly. The statement is on page 384 of the Acts and Proceedings for 1981. It was adopted by Assembly as part of the report of the Board as a whole. One part particularly addressed the consequences of allowing freedom of conscience in this matter: the Board of Ministry rejects as invalid any concept of a freedom of conscience on the part of individuals and courts that denies freedom to women to exercise a full ministry equal in all respects to that of men. We submit that by granting such freedom to some members of the Church we are denying not only freedom of conscience but freedom of action to many more members. The sanction of any such concept of freedom of conscience would, in effect, create two classes of ministry in the Church — one class (composed of men) that is recognized as valid by the whole church and a second class (composed of women) which is not recognized as valid by the whole Church.

9. Responses of other communions to similar appeals to conscience in this matter

i. *The Presbyterian Church in the United States (Southern Presbyterian)*

In 1977 the Permanent Judicial Commission of the Presbyterian Church in the U.S. sustained the action of the Judicial Commission of the Synod of the Southeast which had agreed to sustain the call of the Reverend Thomas T. Ellis to Capitol View Presbyterian Church in Atlanta, Georgia. Mr. Ellis was opposed to the ordination of women, but as a presbyter he knew that in spite of his conscientious objections, he was subject to the authority of presbytery. He said, "Should Atlanta Presbytery, knowing my views, appoint me to a commission to ordain a woman, I believe that I would respectfully ask to be excused. In the event that Presbytery should then decline

such a request, I would seek to subject myself to my brethren in the Lord in accordance with my ordination vows."

The Commission had struggled with the issue of the distinction between freedom of conscience and freedom of action, "The question . . . was not primarily what the candidate *thinks* but what he *does*. The issue is one of *freedom of conscience* versus invidious *action*. Belief or *conviction* versus *conduct*." The Commission stated clearly that the issue was whether the candidate "will or will not be able to take and carry out his ordination vows and serve the ministry in conformity with the Constitution of this Church." In upholding the findings of the Judicial Commission of the Synod, the Permanent Judicial Commission stated, "If the *actions* as opposed to the views of a minister tend to degrade or deny to women their rights to full status as church officers, or otherwise, in the work and worship of this Church, then no congregation, no Presbytery and no Synod shall ordain or continue such a person in office. It is a question of fact to be soberly and prayerfully determined by congregation and Presbytery as to whether in any particular case a minister is simply exercising his freedom of conscience or whether he is taking *action* by word or otherwise, which defeats our Church law which recognizes the full equality of women under the law of this Church and under the law of God."

A full account of this case is to be found in the Minutes of that Assembly for 1977.

ii. *The United Presbyterian Church in the United States of America (UPUSA)* In 1974, the Pittsburgh Presbytery agreed on a split vote (147–133) to ordain W.W. Kenyon who has conscientious scruples in the ordination of women based on his reading of I Corinthians 14. The decision was appealed to their General Assembly and the Assembly upheld the appeal. In the course of their judgment, the commissioners made the following statements:

> . . . we are mindful that conscience can be in conflict with polity. But it is important to recall that the decision to present oneself as a candidate for ordination is voluntary. A candidate who chooses not to subscribe to the polity of this church may be a more useful servant of our Lord in some other fellowship whose polity is in harmony with the candidate's conscience.
>
> . . . to permit ordination of a candidate who has announced that he cannot subscribe to the cited constitutional provisions has implications for the Church far beyond that one instance. The precedent, if applied generally, would affect every session, presbytery, synod, and the General Assembly, and more than one-half of our Church's members. The challenged decision of Presbytery was not unique or of but minimal significance. The issue of equal treatment and leadership opportunity for all (particularly without regard to considerations of race and sex) is a paramount concern of our Church. Neither a synod nor the General Assembly has any power to allow a presbytery to grant an exception to an explicit constitutional provision.

The full judgment can be found in the Minutes of the General Assembly, UPUSA, 1975.

MINUTES OF THE GENERAL ASSEMBLY
OF THE UNITED PRESBYTERIAN CHURCH
IN THE UNITED STATES OF AMERICA (1975)

Jack Martin Maxwell,
Appelle
vs.
PITTSBURGH PRESBYTERY,
Appellant

REMEDIAL CASE NO. 1

This is a remedial case (Book of Church Discipline, Chapter I, Section 5) (81.05), initiated by a complaint filed February 25, 1974, by the Rev. Jack Martin Maxwell against Pittsburgh Presbytery's decision to ordain Mr. Walter Wynn Kenyon.

On February 14, after Presbytery had so voted, 55 members of Presbytery dissented from that action (Book of Church Discipline, Chapter IV, Section I) (84.01). On March 6, a "Stay of Execution" was filed with the Stated Clerk of Pittsburg Presbytery. Its effect was to postpone the ordination of Mr. Kenyon until a final decision of the case (Book of Church Discipline, Chapter VI, Section 7) (86.07).

Mr. Maxwell's complaint was heard by the Judicial Commission of the Synod of Pennsylvania-West Virginia. On April 19, 1974, it entered its judgment that the action of Pittsburgh Presbytery was irregular, and that it should be rescinded. The judgment was based upon the contention in the complaint that the action of Presbytery was tantamount to a contradiction of both the letter and the spirit of the Book of Order. In addition, Synod's Commission decided that Presbytery had granted an exception to Form of Government, Chapter XIX, Section 4 (5) (49.045). Accordingly, the Commission directed that the action of the Presbytery at its meeting of February 14, 1974, sustaining the examination of Walter Wynn Kenyon as a candidate for ordination be rescinded and "the same is hereby rescinded."

Notice of appeal to the General Assembly was timely filed (Book of Church Discipline, Chapter XIII, Section 3) (93.03). Appellant has standing to appeal. (Book of Church Discipline, Chapter XIII, Section I) (93.01). The case involves an interpretation of the Constitution of the Church and is properly before the General Assembly (Form of Government, Chapter XIV, Section 9) (44.09). The Permanent Judicial Commission has jurisdiction under the Book of Church Discipline, Chapter V, Section I (85.01).

The principal facts are clear and undisputed. Walter Wynn Kenyon, a candidate for ordination, appeared before the Committee on Candidates and Credentials of Pittsburgh Presbytery for examination in theology and polity on February 14, 1974. Thereafter, the Chairman of the Committee reported to Presbytery that the Committee had moved not to sustain the examination and not to recommend Mr. Kenyon for ordination. The Chairman stated that the primary issue concerned the candidate's vows of ordination, particularly his endorsing the Church's government and honoring its discipline.

The Chairman reported that the candidate had been specifically asked, "Would you ordain women who were elected to Session of the church?" and that the answer was "no." The Chairman continued his report:

> "The feeling was that he would serve with women who were ordained; he would be pleased for another clergyman to participate in the ordination service; but as he understands his feeling, particularly based on Scripture, that this is something that he could not do."

In due course, Presbytery adopted a substitute motion to allow Mr. Kenyon to proceed with his trials in accordance with the Form of Government, Chapter XIX, Sections 1 and 2 (49.01 to 49.025). The proceedings were recorded on tape; the salient portions of the transcript follow:

Question by a Commissioner: "In your last statement, so that the whole issue may be brought before the presbytery, do you know that the church is wrong in ordaining women?"
Answer by Mr. Kenyon: "Yes, Do you want the reasons, or is the 'Yes' enough?"
Moderator: "If you wish to speak to it, speak to it."
Answer by Mr. Kenyon: "I would just simply cite that I Corinthians 14 passage. And I Timothy 2:12 says, 'Let not a woman usurp authority nor teach.' And I feel that the 'teach' there — the word didaskein — is used in the Greek in the pastoral letters as authoritative ordained preaching, and I feel that a woman is not allowed to be an ordained preacher, to usurp authority in the Church; and that's what the Scriptures teach."
Question by Moderator: "Are there other questions? Yes?"
Statement by Commissioner: "I'm not going to argue with the man's interpretation of Scripture. I'd like to ask the brother one question. Supposing you were ordained, and you were called and installed as a minister of one of our congregations. Your nominating committee presented the name of a lady for elder. Would you be willing to call in another minister then to ordain her?"
Answer by Mr. Kenyon: "Yes. The question was raised earlier, would I stop them for this? I don't think I have the power. I think I would be overstepping my bounds if I tried. But I

would definitely let the nominating committee know why I believe the way I do and try to show them what's at stake and then it would be their decision. If they voted for a woman then I would call in or have another minister come in to the ordination."
Question by Mr. Polley: "Sir, I want to go back on a previous question and you were speaking about talking with a nominating committee and your (teaching) and discussion with the nominating committee would be to tell them why it was wrong to nominate a woman but if they went ahead and did it then you would call somebody else in to perform the ordination service."
Answer by Mr. Kenyon: "Or Presbytery could send somebody in — yes."
Question by Mr. Polley: "So the first point, your teaching would be to them that it is wrong and it is contrary to the word of God even though it happens to be in harmony with our church government."
Answer by Mr. Kenyon: "Yes."
Question by Dr. Orr: "If the candidate does not believe that women should teach, I come to the very practical question as to how he would staff his church school?"
Answer by Mr. Kenyon: "My answer to that would be — I don't think the Presbyterian Church has ever accepted a pragmatic view of truth. I don't think we can base truth on what is pragmatic, what works. And so if the Scriptures were to teach that women should not teach, period, and then I couldn't get Sunday School teachers I don't think that would give me a way or a reason for breaking what the Scriptures say, although I'll give you my understanding of that portion of Scripture. As I mentioned I feel that, and Kittel himself, I believe, uses this, speaks about this, that didaskalein (*sic*), the Greek word for teach, in the pastoral letters is used in an authoritative way as I understand it. It doesn't mean that they are not allowed to speak or not allowed to teach but they are not allowed to teach as an ordained person — this is the way I understand it."

In due course, upon motion duly made, the examination of Mr. Kenyon was sustained and Presbytery voted to proceed to ordination, the motion passing by a vote of 147 in favor and 133 opposed. Thereupon, this question was addressed to the candidate:

"Wynn, have you read and do you understand the questions you will be asked to be ordained and are you prepared to answer them in the affirmative?"

To this Canadidate Kenyon answered, "yes."

Form of Government, Chapter XIX, Section 4 (409.04), requires that the candidate answer the following questions:

"(1) Do you trust in Jesus Christ your Savior, acknowledge him Lord of the world and Head of the Church, and through him believe in one God, Father, Son, and Holy Spirit?
"(2) Do you accept the Scriptures of the Old and New Testaments to be, by the Holy Spirit, the unique and authoritative witness to Jesus Christ in the Church universal, and God's word to you?
"(3) Will you be instructed by the Confessions of our Church, and led by them as you lead the people of God?
"(4) Will you be a minister of the word in obedience to Jesus Christ, under the authority of Scripture, and continually guided by our Confessions?
"(5) Do you endorse our Church's government, and will you honor its discipline? Will you be a friend among your comrades in ministry, working with them, subject to the ordering of God's word and Spirit?
"(6) Will you govern the way you live, by following the Lord Jesus Christ, loving neighbors, and working for the reconciliation of the world?
"(7) Will you seek to serve the people with energy, intelligence, imagination, and love?
"(8) Will you be a faithful minister, proclaiming the Good News in word and sacrament, teaching faith, and caring for people? Will you be active in government and discipline, serving in courts of the Church, and in your ministry, will you try to show the love and justice of Jesus Christ?

We recognize the heavy burden borne by Synod in overruling the majority vote of a presbytery on a question of ordination. (*Minutes* 1935, p. 81; *Digest*, p. A332). However,

presbytery's power is not absolute. It must be exercised in conformity with the Constitution. In other words, our polity is a government of law, rather than of men.

In considering the gravity of the question, we are mindful that conscience can be in conflict with polity. But it is important to recall that the decision to present oneself as a candidate for ordination is voluntary. A candidate who chooses not to subscribe to the polity of this church may be a more useful servant of our Lord in some other fellowship whose polity is in harmony with the candidate's conscience.

Among the Preliminary Principles of the Form of Government, first published in 1788 is this:

> "That truth is in order to goodness; and the great touchstone of truth, its tendency to promote holiness, according to our Savior's rule, 'By their fruits ye shall know them.' And that no opinion can be either more pernicious or more absurd than that which brings truth and falsehood upon a level, and represents it as of no consequence what a man's opinions are. On the contrary, they are persuaded that there is an inseparable connection between faith and practice, truth and duty. Otherwise it would be of no consequence either to discover truth or to embrace it." (Form of Government, Chapter I, Section IV (31.04).)

That principle expresses a conviction that our Form of Government must be inseparably connected to the faith we profess. The question of the importance of our belief in the equality of all people before God is thus essential to the disposition of this case. This is not a casual question. Our rejection of a hierarchical system and development of a connectional polity with parity among elders (teaching and ruling) as well as our understanding of ordination have been shaped by our belief in this equality.

It is evident from our Church's confessional standards that the Church believes the Spirit of God has led us into new understandings of this equality before God. Thus the Confession of 1967 proclaims, "Congregations, individuals, or groups of Christians who exclude, dominate, or patronize their fellowmen, however subtly, resist the Spirit of God and bring contempt on the faith which they profess." (9.44.)

The United Presbyterian Church in the United States of America, in obedience to Jesus Christ, under the authority of Scripture, and guided by its confessions, has now developed its understanding of the equality of all people (both male and female) before God. It has expressed this understanding in the Book of Order with such clarity as to make the candidate's stated position a rejection of its government and discipline. Thus, the statement by itself would constitute answer to Question 5 (49.045).

The ordination questions, to which the Constitution of our Church requires an affirmative answer, are designed to admit to the ministry those qualified candidates who are committed to the Church's form of government and mission. Our understanding of the Church's mission has grown with time. It was not until 1903 that Chapter XXXV, "Of the Gospel of the Love of God and Missions," was added to the Westminster Confession stressing the worldwide dimension of both God's love and the Church's mission. The reconciling aspect of this mission is deliberately stressed in the Confession of 1967, because our Church believed that the need of the times required such an emphasis. Our Church, a living and changing institution, has so defined its mission that a candidate who says it is in error in ordaining women, compromises his affirmative answers to questions (3), (4), and (6) (Form of Government, Chapter XIX, Section 4) (49.043, 49.044, 49.046), as they describe our Church's mission.

We emphasize the following points:

I. Discrimination Against Women Within the United Presbyterian Church on the Basis of Their Sex Is Forbidden by the Constitution of the Church

As early as 1930, the General Assembly amended the Constitution to provide that election to the office of ruling elder and deacon was open to either men or women. In 1956, the Constitution was amended to include both men and women in the office of the ministry. The Form of Government provides:

Chapter VII, Section 2 (38.02). "The office of the ministry is the first in the Church

in both dignity and usefulness . . . Both men and women may be called to this office."
Chapter IX, Section 3 (39.03). ". . . The office of ruling elder shall be open to all members regardless of race, ethnic origin, sex, marital status, or age."
Chapter XVII, Section I (47.01). "Every congregation shall elect persons from among its members in full communion, giving attention to a fair representation of both the male and female constituency of that congregation, to the office of ruling elder and to the office of deacon . . ."

There are numerous requirements in the Book of Order that the leadership of our church be open to all regardless of race, ethnic origin, sex, or marital status, There is no question that refusal to ordain women on the basis of their sex is contrary to the Constitution.

II. The Nature of the Authority of Presbytery in the Licensure and Ordination of Candidates

The power of presbytery to ordain candidates to the ministry is not at issue in this case. In 1938, the Permanent Judicial Commission stated that "the principle of the Constitution is that a presbytery, in conformity to constitutional requirements, is the sole judge regarding licensure . . . At the same time, a presbytery should ever remember that it has entered into a solemn contract with the Presbyterian Church in the United States of America to see that the constitutional requirements are fully complied with." (*Minutes*, 1935, p. 81; *Digest*, p. A332.)

The candidate's affirmative answers to the constitutional questions do not stand alone. They must be viewed in the context of his entire examination. That shows that Mr. Kenyon openly — and honestly — but from a church polity point of view — erroneously rejected the established law of the church that all humans are equal.

Presbytery does not have the power to permit the ordination of Mr. Kenyon, who rejects this part of the polity of our Church. Mr. Kenyon (not the church) must make the judgment whether in good conscience and with his understanding of the Bible, he can accept a constitutional provision adopted by The United Presbyterian Church in the United States of America. It is not seemly to challenge the right of Mr. Kenyon to his beliefs, but it is the responsibility of our Church to deny ordination to one who has refused to ordain women.

III. A Minister's Refusal to Participate in the Ordination of Women Has Unacceptable Implications for the Church at Large

The Appellant contended that Mr. Kenyon does not seek to bind the Church by his interpretations of Scripture, but rather seeks to refrain from violating his own conscience by performing an act contrary to that interpretation. It was urged that he could arrange for the ordination of women elders by calling in another minister. Furthermore, Appellant took the position that this case did not involve any questions about the role of women in the Church or discrimination on the basis of sex. So, Appellant asserted, the governmental processes were not altered: the congregation could nominate and accomplish ordination of whomever it chose.

Nevertheless, to permit ordination of a candidate who has announced that he cannot subscribe to the cited constitutional provisions has implications for the Church far beyond that one instance. The precedent, if applied generally, would affect every session, presbytery, synod, and the General Assembly, and more than one-half of our Church's members. The challenged decision of Presbytery was not unique or of but minimal significance. The issue of equal treatment and leadership opportunity for all (particularly without regard to considerations of race and sex) is a paramount concern of our Church. Neither a synod nor the General Assembly has any power to allow a presbytery to grant an exception to an explicit constitutional provision.

It is the decision of the Permanent Judicial Commission that the action of Pittsburgh Presbytery in voting to ordain Walter Wynn Kenyon was not in conformity with the requirements of the Form of Government, Chapter XIX, Section 4 (49.04). The Appeal is not sustained.

The Rev. Victor M. Colon-Bonet, Gardner Cromwell, Esq., and Edgar Musgrave dissent without opinion.

In compliance with the Book of Church Discipline, Chapter V, Section 3 (85.03), the Rev. Jay W. Kaufman of the Synod of Pennsylvania-West Virginia was not present during any part of the consideration of this case, and did not participate in the decision thereof.

iii. *The Reformed Church of America* has a polity similar to but not identical with the presbyterian system. They have adopted a pluralistic solution. Tom Stark, a minister of their church in Michigan has written of the church "The RCA is not united in its understanding of the teaching of Scripture on this subject, and lay people, seminarians and ministers must continue to review their convictions on this question realizing that they are in a denomination which is pluralistic on this matter and intends to remain so." ("Women in Church Offices: Where We Are Now", *The Church Herald*, October 2, 1981, p. 91). Appended to this article on page 10 of the issue of *The Church Herald* were the following amendments passed in 1981 to their *Book of Church Order*:

AMENDMENTS TO THE BOOK OF CHURCH ORDER
ADOPTED IN 1981
CONCERNING WOMEN AS CHURCH OFFICERS

a. Amend Part I, Article I, Section 3 (*BCO*, p. 12) to read: The ministers of the Word are those men and women who have been inducted into that office by ordination in accordance with the Word of God and the order established by the church. (*"Persons" was replaced by "men and women." — Ed.*)

b. Amend Part II, Article 2, Section 7 (*BCO*, p. 24) to read: If individual members of he classis find that their *consciences*, as illuminated by Scripture, would not permit them to participate in the licensure, ordination, or installation of women as ministers of the Word, they shall not be required to participate in decisions or actions contrary to their consciences, but may not obstruct the *classis in fulfilling its responsibility to arrange for the care, ordination, and installation of women candidates and ministers by means mutually agreed on by such women and the classis.*

c. Amend Part II, Article 10 (*BCO*, p. 40) by adding the following new section: Section 15. Ministers of the Word shall not be pressured in such a way as to lead either *one who supports or one who opposes, on scriptural grounds, the ordination of women to church offices to offend against his or her conscience; nor shall any church member be penalized for conscientious objection to, or support of the ordination of women to church offices; nor shall any minister of the Word obstruct by unconstitutional means the election, ordination, or installation of a woman to church offices.*

d. Amend Part I, Article 5, Section 2 (*BCO*, p. 19) by adding the following new subsection

h. They shall penalize nor permit to be penalized any member for conscientious objection to, or support of, the ordination of women to church offices: nor shall they permit *any member to obstruct by unconstitutional means the election, ordination, or installation of a woman to church offices.*

Note: a "classis" corresponds to our presbytery.

iv. *The United Church of Canada* grew from the Methodist tradition as well as the Presbyterian one. Women were serving in the role of ministers in the Free Methodist tradition very early in the nineteenth century. The United Church of Canada has ordained women since 1930. There has been one incident in the history of that church where a question arose over the question of ordaining married women, particularly those with children. This was not, however, a challenge to the basic premise. The Task Force is seeking further information from the United Church on this matter and will be in a position to answer questions at the Assembly.

v.. *The Anglican Church of Canada* has an episcopal form of church government. It is governed by archbishops and bishops rather than by courts. In a letter to Dr. MacDonald, The Venerable H. St.C. Hilchey, General Secretary of the Anglican Church explained their position. In 1975 the General Synod passed the following resolution 208–35,

> "that it would be appropriate for women qualified for the priesthood to be ordained at the discretion of diocesan bishops acting within the normal procedures of their own jurisdictions and in consultation with the House of Bishops."

Subsequently the same synod passed what has become known as "the Conscience Clause",

> "Be it resolved that no bishop, priest, deacon or lay person including postulants for ordination of the Anglican Church of Canada should be penalized in any manner, nor suffer any canonical disabilities, nor be forced into positions which violate or coerce his or her conscience as a result of General Synod's action in affirming the principle of the ordination of women to the priesthood and requests those who have authority in this matter to act upon the principle set out above."

There are mixed reports about the way this system of jurisdictional differentiation is working. Commissioners might wish to ask Anglican friends about the matter.